CITY OF HELOTES

PHASE II MS4
STORM WATER
MANAGEMENT PROGRAM

City of Helotes, Texas
P.O. Box 507
Helotes, Texas 78023
(210) 695-8877

PREPARED AND SUBMITTED TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) AS A REQUIREMENT OF TPDES GENERAL PERMIT TXRO4OOOO.

FEBRUARY 2008

OFFICIALS

Mayor Thomas A. Schoolcraft

Council Members

Guillerma Contreras, Place 1

Alina Matutes-Eckhardt, Place 2

Jeff Ellis, Place 3

Joe "JB" Richeson, Mayor Pro Tem, Place 4

Rich Whitehead, Place 5

City Staff

Police Chief -	Morton Ault
Fire Chief -	Walton Daugherty
City Secretary -	Grace Tamez
Economic Development -	Rick Schroder
Development Services -	Ernest Cruz
Code Enforcement -	Joe Encina
Administrative Assistants -	Patty Daugherty & Joe Castellano
Animal Control -	Tammy Garretson
City Treasurer -	Susan Wootton
Accounts Payable -	Tabitha Durr
Court Clerk -	Judy Henckel
Deputy Court Clerks -	Eva Juarez & Ann White

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ACRONYMS

BMP	Best Management Practice
CGP	Construction General Permit, TXR150000
CRP	Clean Rivers Program
CWA	Clean Water Act
EARZ	Edwards Aquifer Recharge Zone
EPA	Environmental Protection Agency
GIS	Geographic Information Systems
MEP	Maximum Extent Practicable
MCM	Minimum Control Measure
MS4	Municipal Separate Storm Sewer System
MSGP	Multi-Sector General Permit, TXR050000
NPDES	National Pollutant Discharge Elimination System
P2	Pollution Prevention
SAWS	San Antonio Water System
SIC	Standard Industrial Classification
SSO	Sanitary Sewer Overflow
SWMP	Storm Water Management Plan
SWPP	Storm Water Pollution Prevention
SWP3	Storm Water Pollution Prevention Plan
SWQM	Surface Water Quality Monitoring
TCEQ	Texas Commission on Environmental Quality
TPDES	Texas Pollutant Discharge Elimination System

DEFINITIONS

Best Management Practices – Schedules of activities, prohibitions of practices, maintenance procedures, structural controls, local ordinances, and other management practices to prevent or reduce the pollution of waters of the United States. Best management practices also include treatment requirements, operating procedures, practices to control runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage areas.

Control Measure – Any best management practice or other method used to prevent or reduce the discharge of pollutants.

Conveyance – Curbs, gutters, man-made channels and ditches, drains, pipes, and other constructed features designed or used for flood control or to otherwise transport storm water runoff.

Discharge – When used without a qualifier, refers to the discharge of storm water runoff or certain non-storm water discharges, as allowed under the authorization of this general permit.

Illicit Connection – Any man-made conveyance connecting an illicit discharge directly to a municipal separate storm sewer.

Illicit Discharge – Any discharge to a municipal separate storm sewer that is not entirely composed of storm water, except discharges pursuant to a National Pollutant Discharge Elimination System permit (other than the municipal separate storm sewer).

Maximum Extent Practicable (MEP) – Technology-based discharge standard for municipal separate storm sewer systems to reduce pollutants in storm water discharges that were established by the CWA.

Municipal Separate Storm Sewer System (MS4) – A conveyance or system of conveyances, including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains owned or operated by the city.

National Pollutant Discharge Elimination System – National program for issuing, modifying, revoking and reissuing, terminating, imposing, and enforcing pretreatment requirements, under sections 307, 402, 318, and 405 of the CWA.

Outfall – A point source at the point where a municipal separate storm sewer discharges to waters of the United States.

Permitting Authority – For the purposes of this general permit, the TCEQ.

Point Source – A stationary location or fixed facility from which pollutants are discharged.

Redevelopment – Alterations of a property that change the footprint of a site or building in such a way that results in the disturbance of equal to or greater than one (1) acre of land.

Storm Water and Storm Water Runoff – Rainfall runoff, snow melt runoff, surface runoff, and drainage.

Storm Water Management Program (SWMP) – A comprehensive program to manage the quality of discharge from the municipal separate storm sewer system.

Surface Water in the State – Lakes, bays, ponds, impounding reservoirs, springs, rivers, streams, creeks, estuaries, wetlands, marches, inlets, canals, the Gulf of Mexico inside the territorial limits of the State, and all other bodies of surface water—natural or artificial, inland or costal, fresh or salt, navigable or non-navigable, including the beds and banks of all water-courses and bodies of surface water, that are wholly or partially inside or bordering the State or subject to the jurisdiction of the State—except that waters in treatment systems which are authorized by State or federal law, regulation, or permit and which are created for the purpose of waste treatment are not considered to be surface water in the State.

Total Maximum Daily Load (TMDL) – The maximum allowed level of pollutant loading to a water body, that protects its uses and maintaining compliance with water quality standards, as defined in the Clean Water Act.

Urbanized Area – A central place and adjacent territory that contain at least 50,000 people and an overall density of 1,000 per square mile.

Watershed – The region draining into a river, river system, or other body of water.

PURPOSE

The City of Helotes Storm Water Management Program (SWMP) has been prepared to meet the Phase II Storm Water Permit requirements for small municipal separate storm sewer systems (MS4s) for the City of Helotes, Bexar County, Texas. The SWMP will be implemented over a five year period to satisfy the general permit requirements issued by the State of Texas Commission on Environmental Quality (TCEQ) and the United States Environmental Protection Agency.

As required by state and federal regulations, the Plan must describe various activities, control measures, and "best management practices" (BMPs) that the City will implement to minimize pollutant discharges into the City's storm drainage systems to the maximum extent practical.

REGULATORY OVERVIEW

In 1972, the Federal Water Pollution Control Act, also known as the Clean Water Act (CWA), was amended to make illegal the discharge of any pollutant at a point source to any water body in the United States without authorization by a National Pollutant Discharge Elimination System (NPDES) permit. Pollution control measures were implemented first in industrial wastewater operations and municipal sewerage systems.

In 1987, the Clean Water Act was again amended to implement a two-phased approach to the reduction of impacts from storm water discharges. The first phase was aimed at large and medium municipal separate storm water systems, industrial activities, and construction activities that disturbed five (5) acres or more of land. The Phase I permitting process required these larger cities to develop and implement a storm water management plan, conduct some monitoring, and submit periodic reports.

The second phase of the storm water program, promulgated on December 8, 1999, adopted the NPDES Phase II Storm Water regulations as a final rule for small municipalities. The Storm Water Phase II rule was the next step in the EPA's efforts to preserve, protect, and improve the nation's water resources from polluted storm water runoff. The Phase II program requires additional operators (small MS4s in urbanized areas), including the City of Helotes, Bexar County, Texas, to implement programs and practices to control polluted storm water runoff through the Texas Pollution Discharge Elimination System (TPDES) permit program. This program requires small municipalities to:

- Reduce the discharge of pollutants to the maximum extent practicable (MEP); and
- Protect water quality; and
- Satisfy the appropriate water quality requirements of the Clean Water Act; and
- Manage storm water quality activities through a Storm Water Management Plan (SWMP).

Cities are required to develop a SWMP that describes specific actions that will be taken over a five-year period to reduce pollutants and protect the City's storm water quality to the maximum extent

practicable (MEP). Specific activities that must be implemented are best management practices (BMPs). The SWMP must also set measurable goals and provide a schedule for the implementation of the BMPs. Various BMP's must be developed for each of the six minimum control measures (MCMs), as required by the Phase II Rule. The six MCMs are:

- Public Education and Outreach on Storm Water Impacts; and
- Public Involvement and Participation; and
- Illicit Discharge Detection and Elimination; and
- Construction Site Storm Water Runoff Control; and
- Post-Construction Storm Water Management in New Development and Redevelopment; and
- Pollution Prevention and Good Housekeeping for Municipal Operations.

PERMIT RESPONSIBILTIES

- Compliance with permit conditions related to discharges from portions of the MS4 which the City owns and operates.
- Annual reporting.
- Implementation of an approved Storm Water Management program.
- Plan of action for implementing the permit requirements.

PERMIT OBLIGATIONS

- Prevent or prohibit the discharges of pollutants into the MS4 to the Maximum Extent Possible (MEP).
- Have approved SWMP designed to determine and described what actions must be performed by the City to be in compliance with permit requirements.

ALLOWABLE NON-STORM WATER DISCHARGES

The following non-storm water discharges may be discharged from a City. The General Permit exempts the following non-storm water discharges from prohibition, unless they are determined by the City or TCEQ to be a significant source of pollutants:

- Water line flushing.
- Landscape irrigation.
- Potable water discharges.
- Diverted stream flows.
- Rising ground water and springs.
- Uncontaminated ground water infiltration.
- Uncontaminated pumped ground water.
- Foundation and footing drains.
- Air conditioning condensation.
- Water from crawl space pumps.
- Individual residential vehicle washing.

- Flows from wetlands and riparian habitats.
- De-chlorinated swimming pool discharges.
- Street wash water.
- Emergency fire fighting discharges.

DISCHARGES TO THE EDWARDS AQUIFER RECHARGE ZONE

The City recognizes that discharges of storm water from regulated small MS4s and other non-storm water discharges are not authorized by this general permit where those discharges are prohibited by 30 TAC Chapter 213 (relating to the Edwards Aquifer Recharge Zone).

CITY HISTORY AND BACKGROUND INFORMATION

Helotes was incorporated as a general law city in 1981; however, the town, whose name derives from the Spanish word *elotes*, or corn-on-the-cob, has been on Texas maps since the nineteenth century. The term *elotes*, or Helotes, has been used since the early 1700s when it was mentioned in a Spanish report to the governor of the region, describing the area where Apaches scalped a Spaniard who had been looking for stray horses. Lipan Apaches, Tonkawas and Comanches camped in the Helotes hills: the Lipans grew corn along the fertile banks of Helotes Creek before the Comanches' frequent raids made such agricultural activities impossible.

Settled in the 1850s by European and Latin immigrants primarily from Germany and Mexico, Helotes has a long history as an identifiable town. After the establishment of the Helotes Post Office in 1873, Helotes was put on county maps. Along with the post office, German immigrant Carl Mueller and his wife Amalie ran the Helotes Stagecoach Inn.

The pioneer whose land encompassed what is now Old Town Helotes was Scottish immigrant and surgeon Dr. George F. Marnoch who built a two-and-a-half story limestone house on Scenic Loop Road in 1858. Marnoch's heirs sold a portion of the family land that became downtown Helotes to Swiss American Arnold Gugger, who in 1881, built a two-story limestone home for his bride Amalia "Mollie" Benke. He also built a general store and a small blacksmith shop. These were the first downtown buildings.

Sixteen miles from San Antonio, Helotes remained a farming community for decades and was a frequent site of cattle drives between San Antonio and Bandera in the late 19th and early 20th centuries. As the 20th century commenced, new downtown landowner Bert Hileman added a dance hall and boarding house. In the 1920s, James and Kate Riggs purchased the downtown property from Hileman and added a store and a gas station/garage.

In 1942, John T. Floore came to town and leased James Riggs' Red & White Grocery Store. In 1946, Floore purchased property in downtown Helotes and opened his own "country store," a music venue,

which became the world-renowned John T. Floore Country Store, today a Texas Historic Landmark listed in the National Registry of Historic Places.

In early May 1966, the first Helotes Cornyval was held in downtown Helotes. The spring festival, which benefited local nonprofits, was so popular it became an annual event. It is now held over a four-day period the first weekend in May at the Helotes Festival Association Cornyval Grounds on Leslie Road, bringing an average of 30,000 people to Helotes over the long weekend. The festival includes carnival rides, a PRCA rodeo, dances and lots of food, including plenty of roasted corn-on-the-cob.

Helotes remained primarily rural until the late 20th century, when the sale of farmland to developers created a housing boom. By the end of the 1990s, Helotes's population had tripled, from 1,507 to 4,295. Along with the population growth came a new school: In 1998, Sandra Day O'Connor High School opened for business in Helotes. Census estimates in 2005 indicated a population of more than 6,000. By the 2010 census, it is estimated that more than 10,000 will be living in Helotes.

City Size and Population

	Area	Population
City area:	6.71 sq. mi	4,285 (2000 Census); 9,000 – 11,000 (Est.)
San Antonio area:	504 sq. mi.	1,320,100
Bexar County area:	1,257 sq. mi.	1,610,900

City Organization

The City of Helotes, Texas is a Type A General Law City operating under a Council/Administrator form of government consisting of five elected council members and an elected Mayor.

City Services

The City of Helotes, Texas has entered into contractual agreements to provide the following services to its citizenry:

- San Antonio Water System (SAWS) to construct, operate, and maintain a sanitary water and sewer system.
- Grey Forest Utilities for natural gas service.
- CPS Energy for electric and natural gas service.
- C-6 Disposal Systems (C-6) for garbage collection.

C-6 provides residential garbage collection twice a week and commercial garbage collection daily. In addition, C-6 provides residential recycling once a week and brush and bulky item pick-up twice a year. Lastly, citizens may participate in the Bexar County Household Hazardous Waste Program at no cost.

The City of Helotes provides fire and EMS services, police protection, street maintenance, code enforcement, building inspections, animal control, and municipal court services.

Water Service

The City's sole source of drinking water is pumped by SAWS from the Edwards Aquifer. Water is secured from four operational wells. One of two inoperable wells is being utilized by the EAA for water quality monitoring. The City adopted a Water Conservation Plan on August 10, 2006, and the Plan is strictly enforced.

Currently, approximately 2,200 customers receive water service and 1,300 customers receive wastewater service from SAWS. The remaining Helotes residents utilize personal water wells and conventional and aerobic septic systems. All septic systems are permitted, inspected, and monitored by Bexar County Public Works.

Edwards Aquifer Recharge Zone

The Recharge Zone for the Edwards Aquifer stretches west and northeast of Bexar County. The City of Helotes, Texas is located on the Edwards Aquifer Transition, Contributing, and Recharge Zones.

Watershed Information

The City of Helotes, Texas is located in the Los Reyes Creek, Helotes Creek, and French Creek watersheds. Los Reyes, Helotes, and French Creeks are usually dry, flooding during heavy rains. The City's average elevation is approximately 1,037 feet above sea level. The land area of the City is approximately 6.71 square miles. Winters are mild and summers are hot and humid. The annual average rainfall is 30 inches, falling predominantly in the months of April through September.

The land use in the City is a combination of agricultural, residential, commercial, mixed-use, office professional, public facilities, and parks and open space. Residential land use makes up the single largest land use category of the City. The City is predominately single-family residential, and most residences utilize septic systems on lots ranging from ½ acre to 10 acres. Commercial development is concentrated along State Highway 16 (Bandera Road).

EXISTING STORM WATER CONVEYANCE SYSTEMS

The City of Helotes is loosely subdivided into three sections by Helotes, Los Reyes, and French Creeks. These creeks converge near Old Town Helotes at the intersection of Old Bandera Road and State Highway 16. Upper branches of Helotes and Los Reyes Creeks extend northwest toward Bandera, Texas. French Creek travels southeast towards San Antonio, Texas.

The storm water drainage system serving most areas of the City of Helotes, Texas consists of overland flow to natural drainage ways or to unlined open ditches and channels alongside public and private roads. Culverts are typically used to route storm water under driveway approaches and roadways. Most storm water runoff within the City sheet flows into roadside drainage ditches that discharge collected storm water in various natural swales, creeks, and intermittent and perennial streams, as determined by local topography.

Curbs and gutters exist on some of the City's newest commercial developments and in some newer residential developments. Collected gutter flow either discharges into natural drainage swales, into roadside ditches, or into storm water detention ponds.

APPROACH FOR DEVELOPING MANAGEMENT PLAN

The City of Helotes, Texas has developed this SWMP, in accordance with the requirements of the TPDES General Permit TXR040000, for obtaining authorization for storm water discharges and certain non-storm water discharges. The SWMP has been developed to facilitate the City's efforts in reducing storm water pollutants from the City's MS4 to the maximum extent practicable, as required by the TPDES General Permit.

City of Helotes staff developed this Plan by discussing issues, concerns, practices, and policies which may currently be impacting storm water quality or which may impact storm water quality in the future. Consistent with federal and TCEQ requirements, the City's Storm Water Management Program organizes proposed control measures into six specific categories. Specific programs for each MCM category are provided in Tables 1-6.

The BMP selected for each minimal control measure is based upon the following information provided by the United States Environmental Protection Agency:

MCM-1. Public Education and Outreach on Storm Water Impacts:

Impervious cover, such as pavement, driveways, rooftops, and flat land surfaces such as yards and undeveloped land can increase storm water runoff and complicate collection and disbursement measures. Further, contaminants on such surfaces generate pollution downstream. MS4 communities must consider how individual, household, and public behaviors and activities contribute to increased storm water and watershed pollution. The following behaviors contribute to storm water pollution:

- Disposing of pet-waste.
- Applying lawn-chemicals.
- Washing cars and other vehicles.
- Changing motor-oil on impervious driveways.
- Household behaviors, such as disposing of leftover paint and household chemicals.

Behavioral changes through public education are necessary to control such pollution. The City will educate the community on the pollution potential of common activities and increase awareness of the direct links between land activities, rainfall-runoff, storm drains, and their local water resources. Moreover, the City will give the public clear guidance on steps and specific actions that they can take to reduce their storm water pollution potential.

MCM-2. Public Involvement and Participation:

MS4 communities must actively recruit and involve groups within the community to assist in storm water pollution education and abatement. No municipality can be as effective in reducing storm water pollution as it could be if it has the participation, partnership, and combined efforts of other groups in the community all working toward the same goal. Public involvement of groups in educational workshops and activities will spread the message on preventing storm water pollution to the entire community.

The City, as required, will make every effort to follow all State and local public notice requirements when implementing its storm water program. To be effective, the City will build into the process of community storm water management opportunities for public involvement, as well. Such opportunities for public involvement will include opportunities for direct action, educational programs, and volunteer activities whereby the community will strive to repair, construct, and beautify storm water management areas, devices, and tools.

MCM-3. Illicit Discharge Detection and Elimination:

Illicit discharge consists of any discharge into a storm drain system this is not composed entirely of storm water. Unlike wastewater, such discharge causes concern because storm water typically flows directly into waterways without treatment. Illicit discharges often include pathogens, nutrients, surfactants, and various toxic pollutants.

The City will develop a program to prevent, detect, and eliminate illicit discharges. This primarily includes developing:

- A storm sewer system map.
- An ordinance prohibiting illicit discharges.
- A plan to detect and address these illicit discharges.
- An education program on the hazards associated with illicit discharges.

MCM-4. Construction Site Storm Water Runoff Control:

Storm water runoff emanating from construction sites presents a significant concern for the health and beauty of rivers, lakes, and estuaries. Rocks and other forms of sediment disturbed by construction can reduce the amount of sunlight reaching aquatic plants, clog fish gills, smother aquatic habitat and spawning areas, and impede navigation within navigable waterways.

The City is required to develop a proactive and reactive program to reduce pollutants in storm water runoff from construction sites impacting one or more acres. Mechanisms to control construction site storm water runoff include:

- Ordinances.
- Requirements to implement erosion and sediment control BMPs.
- Requirements to control other waste at the construction site.
- Procedures for reviewing construction site plans.
- Procedures to receive and consider information submitted by the public.
- Procedures for inspections and enforcement of storm water requirements at construction sites.
- Procedures for ensuring appropriate NPDES permits have been secured by construction operators on projects that disturb at least one acre and discharge storm water into a waterway.

MCM-5. Post-Construction Storm Water Management in New Development and Redevelopment:

Residential and commercial development increases impervious surfaces. Consequently, storm water runoff has increased and could, if left untreated, pollute creeks, streams, and other waterways within the City.

The best way to mitigate storm water impacts from new development is to use practices to treat, store, and infiltrate runoff onsite before it can affect water bodies downstream. Site plans and construction drawings designed to monitor impervious cover areas and institute low impact development practices are necessary to achieve the goals of reducing flows and improving water quality.

The City will address post-construction storm water runoff from new development and redevelopments that disturb one or more acres. This shall include the creation of:

- Strategies to implement a combination of structural and non-structural BMPs.
- An ordinance to address post-construction runoff.
- A program to ensure adequate long-term operation and maintenance of BMPs.

MCM-6. Pollution Prevention and Good Housekeeping for Municipal Operations:

Oftentimes, municipalities engage in activities that could harm water quality and surrounding waterways if left unchecked or unregulated. Such activities could include minor road repairs, street and drainage infrastructure work, vehicle fleet maintenance, landscaping and city right-of-way maintenance, and building maintenance. At the same time, municipalities should engage in activities intended to remove pollutants from their storm water system. These activities can include, but not be limited to, parking lot and street sweeping and storm drain system cleaning.

The City will be required to train staff on ways to prevent and clean pollutants which might occur on municipal properties and protect storm water runoff from pollutants originating on or around municipal facilities. Training will include:

- Developing inspection and maintenance procedures and schedules for storm water BMPs.
- Implementing BMPs to treat pollutants from transportation infrastructure, maintenance areas, storage yards, sand and salt storage areas, and waste transfer stations.

- Establishing procedures for properly disposing of pollutants removed from the MS4.
- Identifying ways to incorporate water quality controls into new and existing flood management projects.

PUBLIC REVIEW OF STORM WATER MANAGEMENT PLAN

In accordance with the general permit TXR040000, Part II, Section D, Number 12, the SWMP will be available for review at City Hall, 12951 Bandera Road, Helotes, Texas 78023 and on the City website at www.helotes-tx.gov.

RECORDKEEPING AND TRACKING

In accordance with the general permit TXR040000, Part IV, Section A, the City of Helotes, Texas will retain all records, a copy of the TPDES general permit, and records of all data used to complete the application for the general permit and make this information available to the public, if requested to do so in writing.

The City of Helotes, Texas will track all BMP activities, results, and changes to the SWMP through an annual report that will be submitted to the TCEQ by March 31 for each year of the permit term. The annual report will include all factors required by the general permit, including the status of compliance with permit condition assessments of BMPs and any changes to the SWMP, as assessed to keep the City of Helotes, Texas in compliance with the general permit conditions.

CITY OF HELOTES

TABLES

OF

BEST MANAGEMENT PRACTICES

Table 1
MCM-1 PUBLIC EDUCATION AND OUTREACH ON STORMWATER IMPACTS

BMP	Details	Measurable Goal(s)	Responsible Entity	Implementation Year
1.1 Distribution of Informational Materials to Individuals and Households	Storm water informational materials shall be made available to individuals and households within the City of Helotes detailing how they can reduce storm water pollution and polluting activities. The City of Helotes will utilize storm water education materials provided by the State of Texas, the U.S. Environmental Protection Agency, the San Antonio Water System, the City of San Antonio, environmental, public interest, and/or trade organizations, and other municipalities of similar size.	Make informational brochures available to the public at City facilities; and Make links to information brochures electronically available on the City website; and Ensure information is updated annually; and Materials shall be distributed in Spanish once a year.	City Staff	1
1.2 Targeted Distribution of Informational Materials	The City of Helotes recognizes that some businesses, such as restaurants and automotive repair facilities, impact storm water quality more than individuals or households. Consequently, the City of Helotes shall distribute targeted storm water quality informational materials to "intense" users. The City, for example, might distribute information about grease clogging storm drains to restaurants or oil spills to automotive shops. The City of Helotes will utilize storm	Make informational brochures available to the public at City facilities; and Make informational brochures available to targeted businesses; and Make informational brochures electronically available on the City website; and Ensure information is updated annually; and Materials shall be distributed in Spanish once a year.	City Staff	1

	water education materials provided by the State of Texas, the U.S. Environmental Protection Agency, the San Antonio Water System, the City of San Antonio, environmental, public interest, and/or trade organizations, and other municipalities of similar size.			
1.3 Public Service Announcement	Currently, the San Antonio Water System and the City of San Antonio place ads in newspapers, on the radio, and on the television relating to storm water management. City of Helotes residents view these messages. The City of Helotes shall submit public service announcements detailing storm water best practices to the Helotes Echo newspaper.	Monitor ads currently provided by SAWS and CoSA; and Place public service announcements within the Helotes Echo newspaper semi-annually.	City Staff	1
1.4 Classroom Education	Currently, the San Antonio Water System and City of San Antonio provide educational materials to Northside Independent School District (NISD). Helotes children attend NISD schools.	Monitor those programs; and Evaluate annually for modifications.	City Staff	1
1.5 Newsletter	The City of Helotes will place articles in the City's newsletter covering water conservation and storm water topics.	Record numbers of copies of materials and/or articles distributed; and Articles will be placed in the newsletter at a minimum of twice per year.	City Staff	1
1.6 Website Postings	The City of Helotes shall post and maintain storm water information on its website. Such information shall include storm water quality information and links to related storm water management	Maintain and update storm water quality information quarterly; and Add links to City's website for TCEQ, EPA, SAWS and other private or public agencies who have information on storm water BMPs.	City Staff	2

	programs and associated BMPs.			
1.7 Educational Speaking Engagements	The City of Helotes shall host symposiums, inviting experts to City Hall to speak on storm water quality issues.	Organize annually; and Track number and identity of attendees; and Document symposium results for distribution to the community.	City Staff	2
1.8 Bill Inserts	Distribute information to the general public through C-6 Disposal Systems bill inserts.	Provide once per year; and Track the number of inserts distributed and the dates of distribution.	City Staff	2
1.9 Encouraging Water Conservation	Currently, the San Antonio Water System provides water conversation information to its customers in the City of Helotes. The City of Helotes will provide conservation messages on its web site and through C-6 Disposal Systems bill inserts. Additionally, conservation brochures and handouts will be available at City facilities.	Post conservation messages on its website twice a year; and Place a water conservation message on a C-6 Disposal Systems bill insert once a year; and Place water conservation literature at City owned facilities; and Water conservation links and tips will be placed on website.	City Staff	2
1.10 Pet Signs	The City of Helotes shall place "Clean-Up After Your Pet" signs in neighborhoods.	Document number and location of signs erected.	City Staff	2
1.11 Formal Recognition	The City of Helotes shall make an annual Proclamation recognizing Storm Water Quality Awareness Week in the City.	The Mayor will issue the annual proclamation.	Mayor	2

Table 2
MCM-2 PUBLIC INVOLVEMENT AND PARTICIPATION

BMP	Details	Measurable Goal(s)	Responsible Entity	Implementation Year
2.1 Stakeholders Meetings	The City of Helotes shall host an annual public meeting of citizens and the City Engineer to discuss storm water issues and to receive input from the community.	City Staff will review the comments, suggestions, and concerns; and Track number and identity of attendees; and City Council shall take action, as necessary.	City Staff; City Council	2
2.2 Adopt-A-Street Program	The City of Helotes shall create an Adopt-A-Street Program, working with associations, groups, and volunteers.	Have one half mile segments of streets adopted per year; and Track the number and identity of volunteers within the Program; and Document cleanup efforts for distribution to the community.	City Staff; City Council	2
2.3 Community Clean Up Day	The City of Helotes shall organize Helotes Volunteer Day, a community clean-up day held one weekend per year. The City shall enlist the participation of community groups and residents to clean parks, streets, and drainage ways.	Track volume of waste picked up; and Track number and identity of groups / citizens / property owners for recognition; and Document cleanup efforts for distribution to the community.	City Staff; City Council	2
2.4 Ad-hoc Storm Water and Water Quality Committee	The Mayor of the City of Helotes shall institute an Ad-Hoc Storm Water and Water Quality Committee composed of residents, property owners, business owners (especially "intense" users), and advocates dedicated to monitoring storm water flow and water quality in	The Committee shall make quarterly reports to the City Council detailing their comments, concerns, recommendations, and monthly activities; and Document Committee efforts for distribution to the community.	Mayor; City Staff; City Council	2

	the City through the implementation of certain programs. Committee members will organize activities, such as developing mailing lists, planting vegetation, suggesting sign placements, drain stenciling, and cleanups.			
2.5 Creek Restoration Activities	The City of Helotes shall organize creek cleanup activities for Helotes, Los Reyes, and French Creeks. Residents, business owners, youth service organizations, local conservation societies, and other citizen groups shall be invited to participate.	Track volume of waste picked up; and Organize once per year; and Track number and identity of groups / citizens / property owners for recognition; and Document cleanup efforts for distribution to the community.	City Staff; City Council	3

Table 3
MCM-3 Illicit Discharge Detection and Elimination

BMP	Details	Measurable Goal(s)	Responsible Entity	Implementation Year
3.1 Brush and Bulky Items Pickup	C-6 Disposal Systems currently provides brush and bulky item pick up to City of Helotes, Texas residents and business owners twice a year as part of its service agreement.	Continue to utilize brush and bulky item pick up program; and Track approximate tons of debris and cubic yards of brush collected each year.	City Staff	1
3.2 Hazardous Waste Disposal and Recycle Programs	The City of Helotes, Texas is located wholly within Bexar County. All County residents may dispose of hazardous waste materials through the Bexar County Hazardous Waste Disposal program. C-6 Disposal Systems offers residential and commercial recycling once per week.	Advertise Hazardous Waste Disposal and Recycle programs on the City of Helotes' website and the City newsletter; and Continue involvement with the programs; and Track the total amount of materials collected.	City Staff	1
3.3 Spill Response	The City of Helotes, Texas Fire Department, in conjunction with TxDot, Bexar County, and the property owner, currently utilizes a spill response plan when caustic or other hazardous waste is spilled within the City limits or it's ETJ. The Fire Department receives regular spill response training and stocks several emulsifying agents for spill cleanup. The City of Helotes, Texas shall review all spill response plans for appropriate levels of resources and training.	Continue the program and make necessary adjustments; and Track the number of spills reaching storm water systems or streams; and Track the number of spills located within the City of Helotes' limits and ETJ.	City Staff; Fire Department	1
3.4	New septic tanks or improperly	Continue Bexar County program; and	City Staff	2

Septic Tank Inspection	functioning septic tanks are inspected by Bexar County. Additionally, property owners must renew their septic tank permits every five years through Bexar County.	Track number of inspections; and Track number of "failed" inspections.		
3.5 Industry Inspections	The City of Helotes, Texas utilizes the Bexar Metropolitan Health District for industry inspections of illicit discharges and proper handling / disposal of fats, oils, and grease waste. The Bexar Metropolitan Health District makes routine inspections and responds to citizen complaints.	Continue Bexar Metropolitan Health District program; and Track number of violations; and Track number of "failed" inspections or corrections; and Track number of businesses in compliance.	City Staff	2
3.6 Monitoring Sanitary Sewer Overflows	San Antonio Water System monitors and rectifies all sewer overflows. The City of Helotes, Texas shall monitor monthly the number of overflows and encourage SAWS, residents, and business owners to rectify such overflows as soon as possible. Additionally, the City shall request and track overflow cleanup procedures.	Request monthly overflow report from SAWS; and Track / report sewer overflows; and Track overflow outcomes.	City Staff	2
3.7 Monitoring Wastewater Connections	San Antonio Water System monitors residential and commercial connections to their waste water system. The City of Helotes, Texas shall annually monitor the number of connections and encourage residents and business owners to connect to the system.	Request annual connection report from SAWS; and Track / report number of violations for illegal interconnections; and Track violation outcomes.	City Staff	2
3.8 Update Storm Sewer System Map	The City of Helotes, in conjunction with the City Engineer and the Storm Water and Water Quality Committee, shall prepare and/or update its storm sewer	GIS-based map created, updated, and implemented by third year.	City Staff; City Engineer; City Council;	3

	system map, detailing the location of all outfalls and the names and locations of all United States waters receiving discharges from those outfalls.			
3.9 Illicit Discharge Ordinance	The City of Helotes shall develop an ordinance prohibiting illicit discharges to City storm sewer system.	Ordinance created and updated through a public process in Year Two; and Ordinance approved by the City Council in Year Three.	City Staff; City Council	3
3.10 Illicit Discharge Ordinance Enforcement	The City of Helotes shall increase monitoring and enforcement, in conjunction with the Code Enforcement Officer and the Police Department, of its illicit discharge ordinance for illegal dumpers.	Track number of complaints; and Track number of enforcement actions.	City Staff; Police Department; Municipal Court	3
3.11 Storm Water and Water Quality Committee	The City of Helotes shall direct the Storm Water and Water Quality Committee to comment and make recommendations on procedures for locating priority areas likely to have illicit discharges; procedures for tracing the source of an illicit discharge; procedures for removing the source of the discharge; and procedures for program evaluation and assessment.	The Committee shall make monthly reports to the City Council detailing their activities and procedures for identifying and rectifying illicit discharges.	City Council; Storm Water and Water Quality Committee	3
3.12 Inspections of new buildings	The City of Helotes, Texas retains a Building Inspector and a City Engineer as contract consultants. The City Engineer reviews all commercial development applications and storm water abatement plans for compliance with local storm water ordinance(s).	Continue storm water abatement program and make necessary adjustments; and Implement inspections for illicit discharges during building permit inspections; and Track number of violations.	City Staff	3

	The City of Helotes, Texas shall begin inspections for illicit discharges during building permit inspections for new and existing residences/businesses.			

Table 4
MCM-4 Construction Site Storm Water Runoff Control

BMP	Details	Measurable Goal(s)	Responsible Entity	Implementation Year
4.1 Fact Sheets	The City of Helotes, Texas shall develop and utilize storm water quantity and quality fact sheets when providing pre-development applications / packets to engineers, contractors, and developers. Fact sheets must be updated to reflect Ordinance for grading, erosion, and sediment control on construction sites in year 4	Develop / update fact sheet, as needed; and Include fact sheets within applications / packets; and Track number of fact sheets provided.	City Staff	2
4.2 Regulations Review	The City of Helotes, Texas Storm Water and Water Quality Committee shall review current storm water quantity and quality regulations in order to make revisions, as necessary, to improve storm water quality running off construction sites.	Storm Water and Water Quality Committee shall proceed with review of current regulations, ensuring that the process is open, public, and involves a cross section of entities; and Make recommendations to City Council.	City Staff; Storm Water and Water Quality Committee	3
4.3 Plan Reviews	The City of Helotes, Texas shall ensure that storm water quantity and quality considerations remain a priority when the City Engineer, Planning and Zoning Commission, and City Council review new commercial developments, approve plats, and approve storm water management plans, especially with regard to construction sites. The City of Helotes, Texas shall ensure that all reviewing authorities receive appropriate training in storm water quantity and quality control.	Review current storm water quantity and quality considerations taken into account by reviewing authorities; and Provide additional training on storm water quantity and quality controls; and Track number of persons trained; and Track number of plans in compliance before and after below Ordinance, as determined by reviewing authorities.	City Staff; Planning and Zoning Commission; City Council	3

4.4 Ordinances	The City of Helotes, Texas Storm Water and Water Quality Committee shall prepare a draft Ordinance for grading, erosion, and sediment control on construction sites, and the Ordinance must comply with Edwards Aquifer Rule (30 TAC Chapter 213). The proposed Ordinance shall include enforcement mechanisms detailing who is responsible for enforcement and what the fines shall be for violations.	Storm Water and Water Quality Committee shall draft document specifying new requirements for grading and associated BMPs to ensure low storm water quantity runoff from one site to another and improve quality of residual water runoff; and Ensure input and recommendations from local stakeholders; and Ensure that final grading, erosion and sediment control Ordinance is ready for City Council consideration.	City Staff; Storm Water and Water Quality Committee	4
4.5 Training	The City of Helotes, Texas shall ensure that all City Engineers, Building Inspectors, and Code Compliance Officers are trained in grading, erosion, and sedimentation control measures, as required by Ordinance.	Ensure that City staff is properly trained in permit issuance, plan checking, inspection, and enforcement; and Track number of employees trained; and Track number of training hours acquired by City personnel.	City Staff	5
4.6 Inspection Checklist	Once the Storm Water and Water Quality Committee has crafted an Ordinance and the City Council has approved the Ordinance, the City of Helotes, Texas Development Services Department shall revise the current inspection checklist utilized by the City Engineer and Building Inspector to ensure that new BMPs are utilized, storm water flow is minimized, and water quality is minimally affected by construction sites.	Update inspection checklist; and Inspect sites for compliance; and Track number of violations; and Document results.	City Staff	5
4.7 Complaint Investigation	The City of Helotes, Texas shall ensure that all citizen complaints for grading, sediment, and erosion issues at construction sites will be investigated promptly by the Code Enforcement	Continue to respond to complaints; and Track number of complaints; and Track time between call and response; and Document results.	City Staff	5

	Officer and immediate actions will be taken.			
4.8 Workshops	The City of Helotes, Texas shall conduct annual workshops for contractors, engineers, and commercial developers to review and discuss latest grading, erosion, and sedimentation control measure requirements.	Track number of participants.	City Staff	5

Table 5
MCM-5 Post-Construction Storm Water Management in New Development and Redevelopment

BMP	Details	Measurable Goal(s)	Responsible Entity	Implementation Year
5.1 Research	The City of Helotes, Texas Storm Water and Water Quality Committee shall research and compile a list of structural and non-structural BMPs for post-construction sites that best fit the City's goal of minimizing storm water runoff and pollutants. Once compiled, the Committee shall present findings to the City Council before developing subsequent Ordinance regulating storm water and water quality for projects entering post construction phase.	Research and develop recommended measures for structural and non-structural BMPs utilizing United States EPA and TCEQ publications; and Committee prepares and City Council adopts final draft of BMP report for post-construction sites; and Include BMP report for post-construction sites within pre-development packets to the development and business community; and Develop brochure of recommended BMPs for post-construction sites.	Storm Water and Water Quality Committee; City Council; City Staff	4
5.2 Fact Sheets	The City of Helotes, Texas shall develop and utilize storm water quantity and quality fact sheets for post-construction sites when providing pre-development applications / packets to engineers, contractors, and developers. Fact sheets must be updated to reflect Storm Water and Water Quality Ordinance for post-construction sites in Year 5.	Develop / update fact sheet, as needed; and Include fact sheets within applications / packets; and Track number of fact sheets provided.	City Staff	4
5.3 Ordinance	The City of Helotes, Texas Storm Water and Water Quality Committee shall develop, based upon approved BMP report for post-construction sites, a Storm Water and Water Quality	Based upon the BMP report for post-construction sites approved by the City Council, develop an Ordinance regulating illicit discharges, post-construction design of BMPs, zoning and affect on storm water and water	Storm Water and Water Quality Committee; Planning and	5

	Ordinance will regulate illicit discharges, post-construction design of BMPs, zoning and affect on storm water and water quality near watersheds, and long-term maintenance of BMPs.	quality near watersheds, and long-term maintenance of BMPs; and Committee host regular meetings, public workshops, joint work sessions with the Planning and Zoning Commission, and public hearings; and Committee revise and approve Ordinance; and City Council approve Ordinance.	Zoning Commission; City Council	
5.4 Plan Reviews	The City of Helotes, Texas shall ensure that storm water quantity and quality considerations remain a priority when the City Engineer, Planning and Zoning Commission, and City Council review new commercial developments, approve plats, and approve storm water management plans, especially with regard to post-construction sites. The City of Helotes, Texas shall ensure that all reviewing authorities receive appropriate training in storm water quantity and quality control.	Review current storm water quantity and quality considerations taken into account by reviewing authorities; and Provide additional training on storm water quantity and quality controls; and Track number of persons trained; and Track number of plans in compliance before and after above Ordinance, as determined by reviewing authorities.	City Staff; Planning and Zoning Commission; City Council	5
5.5 Training	The City of Helotes, Texas shall ensure that all City Engineers, Building Inspectors, and Code Compliance Officers are trained in storm water quantity and quality regulations contained within the above Ordinance.	Ensure that City staff is properly trained in permit issuance, plan checking, inspection, and enforcement; and Track number of employees trained; and Track number of training hours acquired by City personnel.	City Staff	5
5.6 Inspection Checklist	Once the Storm Water and Water Quality Committee has crafted an Ordinance and the City Council has approved the Ordinance, the City of Helotes, Texas Development Services Department shall revise the current inspection checklist utilized by the City	Update inspection checklist; and Inspect sites for compliance; and Track number of violations; and Document resolutions	City Staff	5

	Engineer and Building Inspector to ensure that new BMPs are utilized, storm water flow is minimized, and water quality is minimally affected by post-construction sites.			
5.7 Workshops	The City of Helotes, Texas shall conduct annual workshops for contractors, engineers, and commercial developers to review and discuss latest storm water quantity and quality regulations contained within the above Ordinance.	Track number of participants; and Summarize topics discussed and results.	City Staff	5

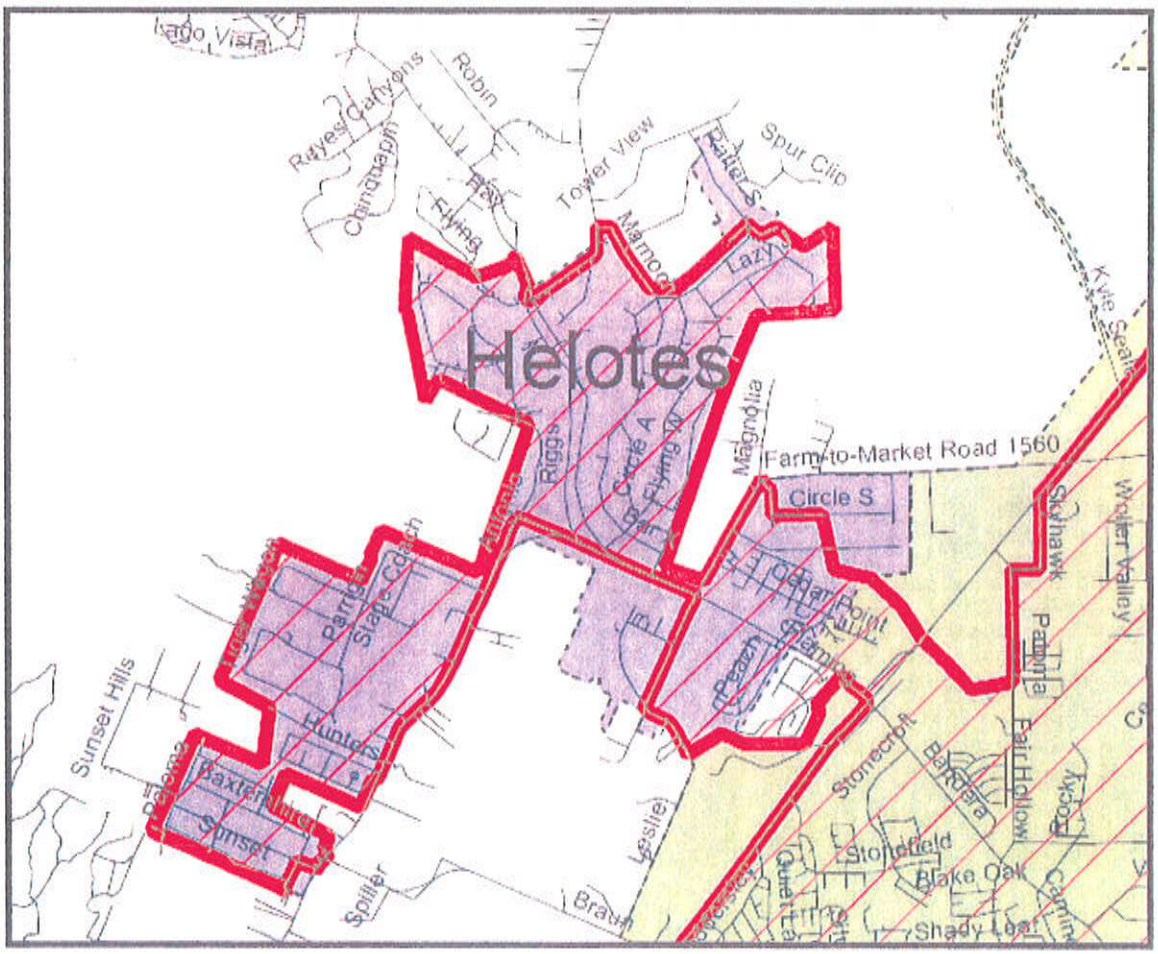
Table 6
MCM-6 Pollution Prevention/Good Housekeeping for Municipal Operations

BMP	Details	Measurable Goal(s)	Responsible Entity	Implementation Year
6.1 Fleet Maintenance and Washing	All municipal vehicles and equipment within the City of Helotes, Texas shall be maintained and washed offsite at a storm water compliant facility.	Identify storm water compliant site(s) to maintain / wash vehicles and equipment; and Track number of violations.	City Staff	1
6.2 Landscape and Lawn care	The City of Helotes, Texas municipal grounds are quite extensive. Consequently, the City utilizes the BMP of maintaining and adding xeriscaping and landscaping on a majority of the complex. The City shall continue this practice and minimize impervious cover where feasible.	Continue this practice; and Track the amount of landscaping, grass, or native materials added annually.	City Staff	1
6.3 Use of Non-toxic Chemicals	The City of Helotes, Texas shall review its policies and practices on the uses of toxic materials within and outside of the municipal complex grounds. The City shall develop one policy, where feasible, on utilizing only non-toxic chemicals, especially with regard to lawn care, pesticide, or herbicide products.	Develop policy; and Implement program.	City Staff	1
6.4 Septic System	The City of Helotes, Texas currently utilizes an aerobic septic system for the municipal complex. Septic system discharge is chlorinated, thereby minimizing pollution within the water supply. Additionally, septic system discharge is recycled and used to water municipal landscaping.	Continue this program until such time that the municipal complex is connected to SAWS sanitary sewer system.	City Staff	1
6.5	The City of Helotes, Texas municipal	Continue this practice; and	City Staff	2

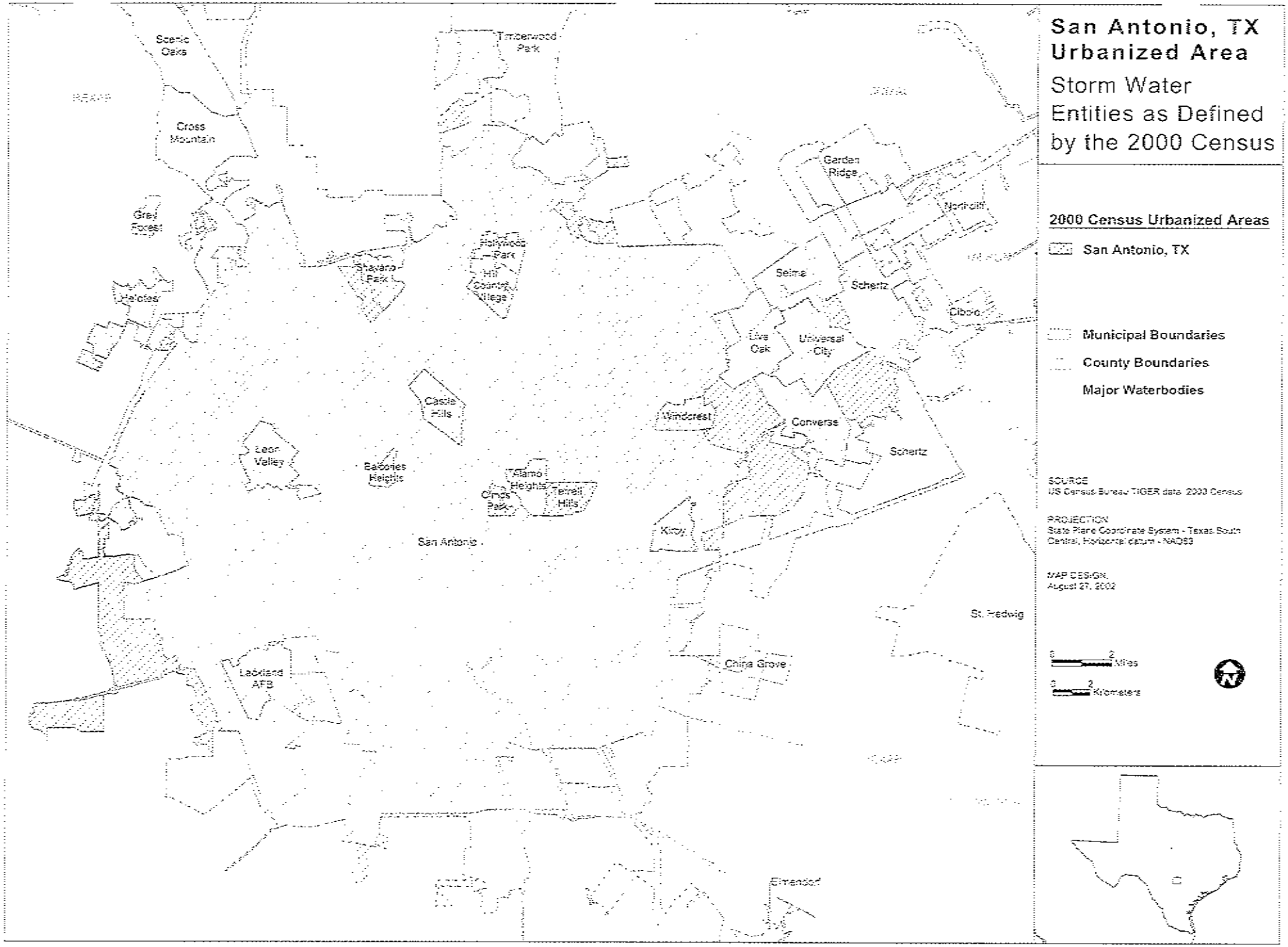
Impervious / Pervious Cover	grounds hold very little impervious cover. Pervious material, such as crushed granite, is utilized were feasible.	Track the amount of impervious and pervious cover on the municipal complex grounds; and Monitor the addition / deletion of impervious cover on the municipal complex grounds.		
6.6 Minimize Water Usage	The City of Helotes, Texas uses very little water for landscaping. Currently, the City utilizes no sprinkler or irrigation system other than an aerobic septic system.	Continue this practice; and Track the amount of water used monthly on SAWS bills.	City Staff	2
6.7 Prevent and Reduce Runoff	The City of Helotes, Texas shall strive to prevent and reduce runoff from the municipal complex grounds and other municipal operations. All parking and other impervious cover surfaces are surrounded by extensive vegetation and plant materials, thereby reducing runoff into storm sewers or culverts. Additionally, the City shall survey departments and facilities for activities that may contribute to water runoff or pollutants. Each department shall identify problem areas, necessary BMP corrective actions, and implement such BMP actions.	Continue this impervious / pervious cover practice; and Track number of water runoff or pollutant issues discovered; and Track number of new BMP programs implemented; and Monitor BMP programs.	City Staff	2
6.8 Supervisory Training and Awareness	The City of Helotes, Texas shall train all supervisory level personnel on municipal BMPs for storm water quantity and quality. Supervisory level personnel shall be required to provide annual awareness	Track number of supervisors trained; and Track number of employees trained.	City Staff	2

	presentations to his/her staff.			
6.9 Infrastructure Cleaning	The City of Helotes, Texas currently cleans and repairs storm water structures as needed. The City shall create and implement a revolving preventative storm water structure cleaning program. The program shall renew annually.	Create annual program and methods for storm water structure prioritization; and Track the name and number of storm water structures cleaned / repaired annually; and Track number of miles cleaned; and Track approximate amount of debris removed.	City Staff	2
6.10 Municipal Complex Tie-In To SAWS Sewer System	The City of Helotes, Texas will renovate / construct police and fire department facilities in 2008 – 2009. All existing and new buildings will connect to an existing sanitary sewer line and the existing aerobic septic system will be abandoned.	Continue this program; and Monitor sewer tie-in during construction; and Maintain plumbing fixtures and correct inefficiencies / failures, as needed.	City Staff	2
6.11 Street Cleaning	The City of Helotes, Texas shall annually sweep local streets within the City. In addition, all municipal parking areas shall be cleaned annually.	Track dates streets were cleaned; and Track tons of debris removed.	City Staff	3
6.12 Waste Materials Management	The City of Helotes, Texas will review its waste management practices and develop an operating policy that incorporates the BMPs for waste material storage and handling.	Develop formal policy; and Implement BMPs.	City Staff	3
6.13 Used oils	The City of Helotes, Texas shall create a used oil recycling program whereby residents and business owners can drop off used motor oil for recycling.	Identify oil recycling companies; and Verify that used oil is picked up from local mechanics and oil changing companies; and Advertise the recycling program through bill inserts, fliers, and the City website.	City Staff	3

ATTACHMENT A



ATTACHMENT B



Storm Water Management Program (SWMP) Cover Sheet

Confirm Each Minimum Control Measure (MCM) Below is Included in the SWMP

This cover sheet MUST be completed by indicating the page number where the requested item will be found in the SWMP. Provide the page number in the left column for each item.

This cover sheet MUST be attached to the front of the SWMP.

Operator Name on NOI: CITY OF HELOTES, BEXAR COUNTY, TEXAS

Page # (s)	MCM 1: Public Education and Outreach on Storm Water Quality Issues
PG. 11; PG. 16	SWMP includes the following required elements: 1. Educational materials are distributed to the community, or equivalent public outreach is conducted. 2. The following groups are included in the program, or the SWMP provides justification if the group is not included: residents, visitors, public service employees, businesses, commercial and industrial facilities, and construction site personnel. 3. Outreach informs groups about impacts storm water can have on water quality, hazards associated with illegal discharges, and steps they can take to reduce pollutants in storm water runoff.
	SWMP Lists Best Management Practices (BMPs) used to fulfill this MCM. Examples of possible BMPs include, but are not limited to, the following: Classroom Education Use of media Education/Outreach for Commercial Activities Lawn and garden activities Promotional giveaways Water conservation practices for homeowners Outreach programs tailored to specific communities and children Storm water educational materials Educational displays, pamphlets, booklets, and utility stuffers Webpage Storm drain stenciling Speakers to community groups Encouragement of proper lawn and garden care Encouragement of low impact development Support of pollution prevention for businesses Encouragement of water conservation practices Encouragement of pet waste management Storm water hotlines
X	SWMP includes measurable goals, and the method of measurement, for addressing storm water quality.
[X]	SWMP has been fully implemented, or includes a schedule of implementation not to exceed five (5) years from permit issuance date.
Page # (s)	MCM 2: Public Involvement/Participation
X	SWMP includes a program that complies with State and local public notice requirements.
PG. 12; PG. 19	SWMP lists BMPs used to fulfill this MCM. Examples of possible BMPs may include the following: Stakeholder meetings Community hotline Coordination with school groups/scouting Listserver Stream cleanup and monitoring Adopt-A-Stream programs Incentives for businesses to participate, such as web links

	Volunteer monitoring Watershed Organization Storm drain stenciling programs Advisory/partner committees Mailing list development and use Reforestation programs Wetland plantings Coordinate volunteer programs
X	SWMP includes measurable goals, and the method of measurement, for addressing storm water quality.
X	SWMP has been fully implemented, or includes a schedule of implementation not to exceed five (5) years from permit issuance date.
Page # (s)	MCM 3: Illicit Discharge Detection and Elimination
PG. 12; PG. 21	SWMP includes the following required elements: 1. Description of program that will be used to detect and eliminate illicit discharges 2 Description of the manner and process to be used to effectively prohibit illicit discharges, including, at a minimum a. List of detection techniques b Appropriate actions and enforcement procedures for removing the source of an illicit discharge c To the extent allowable under state and local law, an ordinance or other regulatory mechanism is utilized to prohibit and eliminate illicit discharges d. Description of local controls and conditions established for common and incidental non-storm water discharges that the operator does not consider illicit 3 Map of outfalls included or described in schedule, with following information: a. Locations of all outfalls b. Names and locations of waters of the U.S. receiving discharges from the MS4 c Source(s) of information used to develop and update map
	SWMP Lists BMPs used to fulfill this MCM. Examples of possible BMPs may include the following: List of non-storm water discharges that will not be considered illicit Procedures to address illegal dumping Hazardous materials disposal opportunities Industrial / Business connections Addressing wastewater connections to MS4 Addressing recreational sewage (boats/camping/etc.) System inspections Dye testing Recycling programs Informing public/employees/businesses of hazards associated with illicit discharges Identification of illicit discharges Used oil collection centers Public outreach and education programs regarding illicit discharges Publicize and facilitate public reporting
x	SWMP includes measurable goals, and the method of measurement, for addressing storm water quality
X	SWMP has been fully implemented, or includes a schedule of implementation not to exceed five (5) years from permit issuance date.
Page # (s)	MCM 4: Construction Site Storm Water Runoff Control
PG. 12; PG. 25	SWMP includes the following required elements listed below: 1. Description of program that will be developed, implemented and enforced, to address storm water runoff from construction one acre and greater (including larger common plan) 2 Ordinance or other regulatory mechanism to require erosion and sediment controls, to the extent allowable under state and local law a. Ordinance/regulatory mechanism includes sanctions to ensure compliance, to the extent allowable under state and local law b. Program requires contractors to implement erosion and sediment control BMPs

	c. Program requires contractors to control construction site waste 3. Procedures for site plan review to consider water quality impacts 4. Procedures for receipt and consideration of input from the public 5. Procedures for site inspection and enforcement of control measures, to the extent allowable under state and local law
	SWMP lists BMPs used to fulfill this MCM. Examples may include: Requirement to comply with TPDES CGP Notification to discharger of responsibilities under TPDES CGP Hire staff to review construction site plans Provide a web page for public input on construction activities Require overall construction site waste management Perform site inspections and enforcement Provide education and training for construction site operators Notify dischargers of requirement to obtain TPDES permit coverage Mechanism to prohibit discharges into MS4 where necessary
X	SWMP includes measurable goals, and the method of measurement, for addressing storm water quality.
	SWMP includes measurable goals, and the method of measurement, for addressing storm water quality.
X	SWMP has been fully implemented, or includes a schedule of implementation not to exceed five (5) years from permit issuance date.
Page # (s)	MCM 5: Post-Construction Storm Water Management in Areas of New Development and Redevelopment
PG. 13; PG. 28	SWMP includes the following required elements listed below. 1. SWMP describes program that will be developed, implemented and enforced, to address storm water runoff from new development / redevelopment activities of one acre and greater (including larger common plan) 2. Program ensures controls are in place to address runoff 3. Strategies include structural and/or non-structural BMPs appropriate for the community 4. Ordinance or other regulatory mechanism is in place or planned which will regulate discharges from new development and redevelopment projects 5. Long term operation and maintenance of BMPs is addressed
	SWMP lists BMPs used to fulfill this MCM. Examples may include: Local ordinance in place or planned Guidance document for developers to utilize Specific BMPs established for particular watersheds List of appropriate BMPs provided to operators Elimination of curbs and gutters is encouraged Zoning takes into account storm water issues Incentives for use of permeable choices, such as porous pavement Requirements for wet ponds or other BMPs for certain size sites Xeriscaping
X	SWMP includes measurable goals, and the method of measurement, for addressing storm water quality.
X	SWMP has been fully implemented, or includes a schedule of implementation not to exceed five (5) years from permit issuance date.
Page # (s)	MCM 6: Pollution Prevention / Good Housekeeping Measures for Municipal Operations
PG. 13; PG. 31	SWMP includes the following required elements listed below 1. Operation and maintenance (O&M) program in place or scheduled, to reduce/prevent pollution from municipal operations 2. Housekeeping measures and BMPs that will reduce pollutants have been identified 3. Training provided for employees involved in municipal operations subject to the housekeeping/BMP requirements 4. Maintenance of structural BMPs (if applicable) is performed a. SWMP lists maintenance schedules for structural BMPs (if applicable) b. SWMP lists long term inspection procedures to reduce floatables

	5. Waste is removed from MS4 and properly disposed a. Procedures for waste disposal are included for dredge spoil, accumulated sediment, and floatables 6. List of municipal operations subject to O&M program or training program 7. List of municipally owned industrial activities subject to TPDES industrial storm water regulations
	SWMP lists BMPs used to fulfill this MCM. Examples may include: BMPs which address fleet vehicle maintenance/washing BMPs which address parking lot and street cleaning Catch basin and storm drain system cleaning Landscaping and lawn care (e.g. xeriscaping) Waste materials management Road salt application and storage practices Used oil recycling Pest management practices Fire training facilities BMPs which address roadway and bridge maintenance Golf course maintenance/waste disposal Disposal of cigarette butts Park maintenance (e.g., providing trash bags)
X	SWMP includes measurable goals, and the method of measurement, for addressing storm water quality.
X	SWMP has been fully implemented, or includes a schedule of implementation not to exceed five (5) years from permit issuance date.
Page # (s) N/A	**Optional 7th MCM :** Municipal Construction Activities (only available within the regulated area where the MS4 operator meets the definition of construction site operator) If this MCM is utilized applicable, SWMP must include the following information:
	Description of how construction activities will generally be conducted so as to take into consideration local conditions of weather, soils, and other site specific considerations
	Description of the area that this MCM will address and where the MS4 operator's construction activities are covered (e.g. within the boundary of the urbanized area, the corporate boundary, a special district boundary, an extra territorial jurisdiction, or other similar jurisdictional boundary)
	If the area included in this MCM includes areas outside of the UA, then all MCMs will be implemented over those additional areas as well.
	Description provided for one of the following: • How contractor activities will be supervised or overseen to ensure that the SWP3 requirements are properly implemented at the construction site(s), or • How the MS4 operator will make certain that contractors have a separate authorization for storm water discharges if needed.
	General description of how a construction SWP3 will be developed for each construction site.

Notice of Intent (NOI) for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (MS4) under the TPDES Phase II MS4 General Permit (TXR040000)

TCEQ Office Use Only
Permit No.:
RN:
CN:

Did you know you can pay on line? Go to www.tceq.state.tx.us/ePay
Select Fee Type: GENERAL PERMIT MS4 PHASE II STORM WATER DISCHARGE NOI APPLICATION

Application Fee: You must pay the $100 Application Fee to TCEQ for the application to be considered complete.
How did you pay this fee?

☐ Mailed:	Check/Money Order No.:	Name Printed on Check:
☑ EPAY:	Voucher No.: 41612	Is the Payment Voucher copy attached? ☑ Yes

IMPORTANT:
- Use the attached **INSTRUCTIONS** when completing this form.
- After completing this form, use the attached **CUSTOMER CHECKLIST** to make certain all items are complete and accurate.
- Missing, illegible, or inaccurate items may delay final acknowledgment or coverage under the general permit.

One (1) copy of the NOI and SWMP with the completed SWMP Cover Sheet MUST be submitted with the original NOI and SWMP.

Is the copy attached? ☑ Yes

A. OPERATOR (applicant)

1. If the applicant is currently a customer with TCEQ, what is the Customer Number (CN) issued to this entity?
   CN
2. What is the full Legal Name of the applicant?
   City of Helotes, Bexar County, Texas
   (The exact legal name must be provided.)
3. What is the applicant's mailing address as recognized by the **US Postal Service**?

Address: P.O. Box 507	Suite No./Bldg. No./Mail Code:	
City: Helotes	State: Texas	ZIP Code: 78023
Country Mailing Information (if outside USA).	Country Code:	Postal Code:
4. Phone No.: (210) 695-8877	Extension:	
5. Fax No.: (210) 695-2123	E-mail Address: tschoolcraft@helotes-tx.gov	

6. Indicate the type of Customer:
   ☐ Federal Government ☐ State Government ☐ County Government
   ☑ City Government ☐ Other Government
7. Number of Employees: ☐ 0-20; ☑ 21-100; ☐ 101-250; ☐ 251-500; or ☐ 501 or higher

B. BILLING ADDRESS

The Operator is responsible for paying the annual fee. The annual fee will be assessed to permits **active on September 1 of each year.** TCEQ will send a bill to the address provided in this section. The Operator is responsible for terminating the permit when it is no longer needed.

Is the billing address same as the Operator Address? ☑ Yes, go to **Section C.** ☐ No, fill out **Section B**

1. Billing Mailing Address:	Suite No./Bldg. No./Mail Code:	
City:	State:	ZIP Code:
2. Country Mailing Information (if outside USA).	Country Code:	Postal Code:
3. Billing Contact (Attn or C/O):		
4. Phone No.: ( )	Extension:	
5. Fax No.: ( )	E-mail Address:	

C. REGULATED ENTITY (RE) INFORMATION

1. Has the TCEQ issued a Regulated Entity Reference Number (RN) for the regulated MS4 ?
   Yes. What is the RN? **RN** _____
   No - TCEQ will assign the RN number after the NOI is submitted.

2. Name that is used to identify the small MS4 (Regulated Entity).
   (Example: City of XXX MS4) City of Helotes, Bexar County, Texas MS4

3. Provide a brief description of the regulated MS4 boundaries:
   (Example: Area within the City of XXXX limits that is located within the xxx (e.g. Dallas) urbanized area.)
   Area within the City of Helotes, Texas limits that is located within the San Antonio urbanized area (INCL. ETJ)

4. a. What is the county where the largest residential population exists within the regulated MS4 boundaries?
   Bexar County

   b. Is the MS4 located within additional counties? ☐ Yes ☑ No
   If yes, what county(s)?

5. What is the latitude and longitude of the approximate center of the regulated portion of the small MS4?
   Latitude: 29.61403 N Longitude: -98.741852 W

6. What is the mailing address for the regulated entity?

Is the RE mailing address the same as the Operator?	☑ Yes, go to Section F.	☐ No, provide the address.
Street Number:	Street Name:	
City:	State:	ZIP Code:

D. GENERAL CHARACTERISTICS

1. I certify that any portion of the regulated MS4 is **not** located on Indian Country Lands. ☑ Yes ☐ No
   If No, you must obtain authorization through EPA, Region VI.

2. What is the Standard Industrial Classification (SIC) code (see instructions for common codes): 9111

3. Has TCEQ "designated" the small MS4 as needing coverage under this general permit? ☑ Yes ☐ No

If "No" and no portion of the Small MS4 is located within an Urbanized Area as determined by the 2000 Decennial Census by the U.S. Bureau of Census requiring a NOI be submitted, the operator is not eligible for coverage under this general permit through the NOI.

4. Storm Water Management Program (SWMP)

a. I certify that the SWMP submitted with this Notice of Intent has been developed according to the provisions of this general permit TXR040000. ☑ Yes ☐ No

b. I certify that the SWMP Cover Sheet is completed and attached to the front of the SWMP. ☑ Yes ☐ No

If No to question a. or b. the application is considered incomplete and may be returned.

b. Who is the person responsible for implementing or coordinating implementation of the SWMP?
(Note: All contact information requested below is required.)

Name: Thomas A. Schoolcraft	Title: Mayor	Company: The City of Helotes, Texas
Address: PO Box 507	Suite No./Bldg. No./Mail Code:	
City: Helotes	State: Texas	ZIP Code: 78023
Phone No.: (210) 695-8877	Extension:	
Fax No.: (210) 695-2123	E-mail Address: tschoolcraft@helotes-tx.gov	

5. Seventh Minimum Control Measure (MCM) for Municipal Construction Activities

a. Is the Minimum Control Measure for authorization to discharge storm water from municipal construction activities included with the attached SWMP? ☑ Yes ☐ No

b. If you answered "Yes" to 5.a., what are the boundaries within which those activities will occur?

Area within the City of Helotes, Texas limits that is located within the San Antonio urbanized area (INCL. ETJ)

Note: If the boundaries are located outside of the urbanized area, then the entire SWMP must also incorporate the additional areas.

c. Is the discharge or potential discharge from regulated construction activities within the Recharge Zone, Contributing Zone, or Contributing zone within the Transition zone of the Edwards Aquifer? ☑ Yes ☐ No

If the answer is "Yes", please note that a copy of the agency approved Plan required by the Edwards Aquifer Rule (30 TAC Chapter 213) must be either included or referenced in the construction storm water pollution prevention plan(s).

6. Discharge Information

a What is the name of the receiving water body(s) from the MS4?

Los Reyes Creek, Helotes Creek, and French Creek

b. What is the classified segment(s) that receives discharges, directly or indirectly, from the small MS4?

Upper Leon Creek (1907), Lower Leon Creek (1906), Medina Diversion Lake (1909)

c. Are any of the surface water bodies receiving discharges from the small MS4 on the latest EPA-approved CWA § 303(d) list of impaired waters? ☐ Yes ☑ No

If Yes, what is the name of the impaired water body(s) receiving the discharges from the small MS4?

d. Is the discharge into any other MS4 prior to discharge into surface water in the state? ☐ Yes ☑ No
If Yes, what is the name of the MS4 Operator?

7. Edwards Aquifer

Is the discharge or potential discharge from the MS4 within the Recharge Zone, Contributing Zone, or Contributing Zone within the Transition Zone of the Edwards Aquifer? ☑ Yes ☐ No
If the answer is Yes, please note that a copy of the agency approved Plan required by the Edwards Aquifer Rule (30 TAC Chapter 213) for activities also regulated under this general permit must be either included or referenced in the SWMP.

8. Public Participation Process

The Office of Chief Clerk will send the operator or person responsible for publishing notice, the notice of the executive director's preliminary determination of the NOI and SWMP, for publishing in a newspaper of largest circulation in the county where the small MS4 is located. If multiple counties, notice must be published at least once in the newspaper of largest circulation in the county containing the largest resident population.

The applicant must file with the Chief Clerk a copy of an affidavit of the publication within 60 days of receiving the written instructions from the Office of Chief Clerk.

a. I will comply with the Public Participation requirements described in Part II.D.12 of the general permit. ☑ Yes ☐ No
If No, coverage under this general permit is not obtainable.

b. Who is the person responsible for publishing notice of the executive director's preliminary determination on the NOI and SWMP? (Note: All contact information requested below is required.)

Name: Grace Tamez	Title: City Secretary	Company: The City of Helotes, Texas
Address: PO Box 507	Suite No./Bldg. No./Mail Code:	
City: Helotes	State: Texas	Zip Code: 78023
Phone No.: (210) 695-8877	Extension:	
Fax No.: (210) 695-2123	E-mail Address:	

c. What is the name and location of the public location where copies of the NOI and SWMP, as well as the executive director's general permit and fact sheet, may be viewed?

Name of Public Place: City of Helotes, Texas City Hall

Address of Public Place: 12951 Bandera Road, Helotes, Texas 78023

County of Public Place: Bexar County, Texas

E. CERTIFICATION

Check "Yes" to the certifications below. **Failure to indicate "Yes" to ALL items** may result in denial of coverage under the general permit.

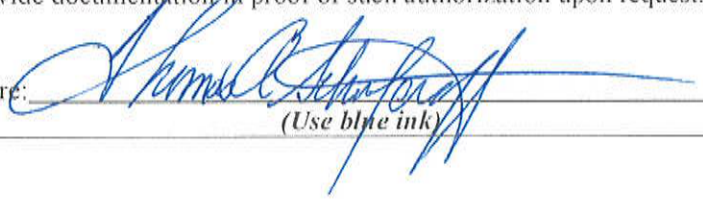
I certify that I have obtained a copy and understand the terms and conditions of the general permit TXR040000.	☑ Yes
I certify that the small MS4 qualifies for coverage under the general permit TXR040000.	☑ Yes
I understand that a Notice of Termination (NOT) must be submitted when this authorization is no longer needed.	☑ Yes
I understand that permits active on September 1st of each year will be assessed an Annual Water Quality Fee.	☑ Yes

Operator Certification:

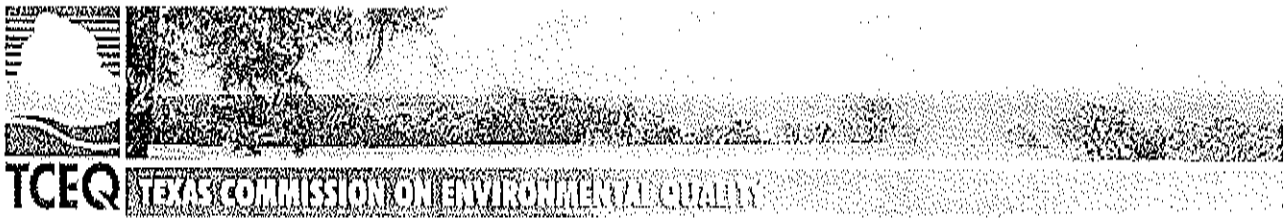
I, Thomas A. Schoolcraft (Typed or printed name) Mayor, City of Helotes, Texas (Title)

certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

I further certify that I am authorized under **30 Texas Administrative Code §305.44** to sign and submit this document, and can provide documentation in proof of such authorization upon request.

Signature:  *(Use blue ink)* Date: 02/06/2008

ATTACHMENT C



Shopping Cart · Select More Fees · Search Transactions · Questions or Comments · Sign Out

Print this voucher for your records. If you are sending the TCEQ hardcopy documents related to this payment, include a copy of this voucher.

Transaction Information

Voucher Number:	41612
Trace Number:	582EA000031790
Date:	02/01/2008 09:36 AM
Payment Method:	CC - Authorization 0000001985
Amount:	$100.00
Fee Type:	General Permit Water Discharge Application
ePay Actor:	The City Of Helotes
Actor Email:	rschroder@helotes-tx.gov
IP:	72.179.131.97

Payor Information

Payor Name:	1 Administration
Company:	City Of Helotes
Address:	12951 Bandera Road, Helotes, TX 78023
Phone:	210-695-8877

Site Information

Site Name:	THE CITY OF HELOTES TEXAS
Site Address:	PO BOX 507, HELOTES, TX 78023
Site Location: ANTONIO URBAN AREA	AREA WITHIN HELOTES TEXAS LIMITS LOCATED WITHIN THE SAN

Customer Information

Customer Name:	THE CITY OF HELOTES TEXAS
Customer Address:	PO BOX 507, HELOTES, TX 78023

Close

ATTACHMENT D

TCEQ Docket No. 2006-0428-WQ
TPDES GENERAL PERMIT
No. TXR040000

This is a new general permit issued pursuant to Section 26.040 of the Texas Water Code and Section 402 of the Clean Water Act.

Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

GENERAL PERMIT TO DISCHARGE UNDER THE
TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM
under provisions of
Section 402 of the Clean Water Act
and Chapter 26 of the Texas Water Code

Small Municipal Separate Storm Sewer Systems

located in the state of Texas

may discharge directly to surface water in the state

only according to monitoring requirements and other conditions set forth in this general permit, as well as the rules of the Texas Commission on Environmental Quality (TCEQ or Commission), the laws of the State of Texas, and other orders of the Commission of the TCEQ. The issuance of this general permit does not grant to the permittee the right to use private or public property for conveyance of storm water and certain non-storm water discharges along the discharge route. This includes property belonging to but not limited to any individual, partnership, corporation or other entity. Neither does this general permit authorize any invasion of personal rights nor any violation of federal, state, or local laws or regulations. It is the responsibility of the permittee to acquire property rights as may be necessary to use the discharge route.

This general permit and the authorization contained herein shall expire at midnight five years after the date of issuance.

ISSUED AND EFFECTIVE DATE: AUG 13 2007

Kathleen H White
For the Commission

Part I. Definitions and Terminology

A. Definitions

Best Management Practices (BMPs) - Schedules of activities, prohibitions of practices, maintenance procedures, structural controls, local ordinances, and other management practices to prevent or reduce the discharge of pollutants. BMPs also include treatment requirements, operating procedures, and practices to control runoff, spills or leaks, waste disposal, or drainage from raw material storage areas.

Classified Segment - refers to a water body that is listed and described in Appendix A or Appendix C of the Texas Surface Water Quality Standards, at 30 TAC § 307.10.

Clean Water Act (CWA) - The Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972, Pub.L. 92-500, as amended Pub. L. 95-217, Pub. L. 95-576, Pub. L. 96-483 and Pub. L. 97-117, 33 U.S.C. 1251 et.seq.

Common Plan of Development or Sale - A construction activity that is completed in separate stages, separate phases, or in combination with other construction activities. A common plan of development or sale is identified by the documentation for the construction project that identifies the scope of the project, and may include plats, blueprints, marketing plans, contracts, building permits, a public notice or hearing, zoning requests, or other similar documentation and activities.

Construction Site Operator - The person or persons associated with a small or large construction project that meets either of the following two criteria:

(a) the person or persons that have operational control over construction plans and specifications (including approval of revisions) to the extent necessary to meet the requirements and conditions of this general permit; or

(b) the person or persons that have day-to-day operational control of those activities at a construction site that are necessary to ensure compliance with a storm water pollution prevention plan for the site or other permit conditions (e.g. they are authorized to direct workers at a site to carry out activities required by the Storm Water Pollution Prevention Plan or comply with other permit conditions).

Conveyance - Curbs, gutters, man-made channels and ditches, drains, pipes, and other constructed features designed or used for flood control or to otherwise transport storm water runoff.

Daily Maximum - For the purposes of compliance with the numeric effluent limitations contained in this permit, this is the maximum concentration measured on a single day, by grab sample, within a period of one calendar year.

Discharge - When used without a qualifier, refers to the discharge of storm water runoff or certain non-storm water discharges as allowed under the authorization of this general permit.

Large Construction Activity - Construction activities including clearing, grading, and excavating that result in land disturbance of equal to or greater than five (5) acres of land. Large construction activity also includes the disturbance of less than five (5) acres of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than five (5) acres of land. Large construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, and original purpose of a ditch, channel, or other similar storm water conveyance. Large construction activity does not include the routine grading of existing dirt roads, asphalt overlays of existing roads, the routine clearing of existing right-of-ways, and similar maintenance activities.

Maximum Extent Practicable (MEP) - The technology-based discharge standard for municipal separate storm sewer systems to reduce pollutants in storm water discharges that was established by CWA § 402(p). A discussion of MEP as it applies to small MS4s is found at 40 CFR § 122.34.

MS4 Operator – For the purpose of this permit, the public entity, and/ or the entity contracted by the public entity, responsible for management and operation of the small municipal separate storm sewer system that is subject to the terms of this general permit.

Notice of Change (NOC) - Written notification from the permittee to the executive director providing changes to information that was previously provided to the agency in a notice of intent.

Notice of Intent (NOI) - A written submission to the executive director from an applicant requesting coverage under this general permit.

Notice of Termination (NOT) - A written submission to the executive director from a permittee authorized under a general permit requesting termination of coverage under this general permit.

Outfall - For the purpose of this permit, a point source at the point where a municipal separate storm sewer discharges to waters of the United States (U.S.) and does not include open conveyances connecting two municipal separate storm sewers, or pipes, tunnels, or other conveyances that connect segments of the same stream or other waters of the U.S. and are used to convey waters of the U.S.

Permittee - The MS4 operator authorized under this general permit.

Permitting Authority - For the purposes of this general permit, the TCEQ.

Point Source - (from 40 CFR § 122.22) any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural storm water runoff.

Pollutant(s) of Concern - Include biochemical oxygen demand (BOD), sediment or a parameter that addresses sediment (such as total suspended solids, turbidity or siltation), pathogens, oil and grease, and any pollutant that has been identified as a cause of impairment of any water body that will receive a discharge from an MS4. (Definition from 40 CFR § 122.32(e)(3)).

gabions, and temporary or permanent sediment basins.

Surface Water in the State - Lakes, bays, ponds, impounding reservoirs, springs, rivers, streams, creeks, estuaries, wetlands, marshes, inlets, canals, the Gulf of Mexico inside the territorial limits of the state (from the mean high water mark (MHWM) out 10.36 miles into the Gulf), and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, navigable or nonnavigable, and including the beds and banks of all water-courses and bodies of surface water, that are wholly or partially inside or bordering the state or subject to the jurisdiction of the state; except that waters in treatment systems which are authorized by state or federal law, regulation, or permit, and which are created for the purpose of waste treatment are not considered to be water in the state.

Total Maximum Daily Load (TMDL) - The total amount of a substance that a water body can assimilate and still meet the Texas Surface Water Quality Standards.

Urbanized Area (UA) - An area of high population density that may include multiple MS4s as defined and used by the U.S. Census Bureau in the 2000 decennial census.

Waters of the United States - (from 40 CFR § 122.2) Waters of the United States or waters of the U.S. means:

(a) all waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;

(b) all interstate waters, including interstate wetlands;

(c) all other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds that the use, degradation, or destruction of which would affect or could affect interstate or foreign commerce including any such waters:

  (1) which are or could be used by interstate or foreign travelers for recreational or other purposes;

  (2) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or

  (3) which are used or could be used for industrial purposes by industries in interstate commerce;

(d) all impoundments of waters otherwise defined as waters of the United States under this definition;

(e) tributaries of waters identified in paragraphs (a) through (d) of this definition;

(f) the territorial sea; and

SWP3, SWPPP	Storm Water Pollution Prevention Plan
TAC	Texas Administrative Code
TCEQ	Texas Commission on Environmental Quality
TPDES	Texas Pollutant Discharge Elimination System
TWC	Texas Water Code

Part II. Permit Applicability and Coverage

This general permit provides authorization for storm water and certain non-storm water discharges from small municipal separate storm sewer systems (MS4) to surface water in the state. The general permit contains requirements applicable to all small MS4s that are eligible for coverage under this general permit.

A. Small MS4s Eligible for Authorization by General Permit

1. Small MS4s Located in an Urbanized Area

   A small MS4 that is fully or partially located within an urbanized area, as determined by the 2000 Decennial Census by the U.S. Bureau of Census, must obtain authorization for the discharge of storm water runoff and is eligible for coverage under this general permit.

2. Designated Small MS4s

   A small MS4 that is outside an urbanized area that is "designated" by TCEQ based on evaluation criteria as required by 40 CFR § 122.32(a)(2) or 40 CFR § 122.26(a)(1)(v) and adopted by reference in Title 30, Texas Administrative Code (TAC), § 281.25, is eligible for coverage under this general permit. Following designation, operators of small MS4s must obtain authorization under this general permit or apply for coverage under an individual TPDES storm water permit within 180 days of notification of their designation.

The portion of the small MS4 that is required to meet the conditions of this general permit are those portions that are located within the urbanized area, as well as any portion of the small MS4 that is designated.

B. Allowable Non-Storm Water Discharges

The following non-storm water sources may be discharged from the small MS4 and are not required to be addressed in the small MS4's Illicit Discharge and Detection or other minimum control measures, unless they are determined by the permittee or the TCEQ to be significant contributors of pollutants to the small MS4:

C. Limitations on Permit Coverage

1. Discharges Authorized by Another TPDES Permit

Discharges authorized by an individual or other general TPDES permit may be authorized under this TPDES general permit only if the following conditions are met:

(a) the discharges meet the applicability and eligibility requirements for coverage under this general permit;

(b) a previous application or permit for the discharges has not been denied, terminated, or revoked by the executive director as a result of enforcement or water quality related concerns. The executive director may provide a waiver to this provision based on new circumstances at the regulated small MS4; and

(c) the executive director has not determined that continued coverage under an individual permit is required based on consideration of an approved total maximum daily loading (TMDL) model and implementation plan, anti-backsliding policy, history of substantive non-compliance or other 30 TAC Chapter 205 considerations and requirements, or other site-specific considerations.

2. Discharges of Storm Water Mixed with Non-Storm Water

Storm water discharges that combine with sources of non-storm water are not eligible for coverage by this general permit, unless either the non-storm water source is described in Part II.B or Part VI.B. of this general permit or the non-storm water source is authorized under a separate TPDES permit.

3. Compliance with Water Quality Standards

Discharges to surface water in the state that would cause or contribute to a violation of water quality standards or that would fail to protect and maintain existing designated uses are not eligible for coverage under this general permit. The executive director may require an application for an individual permit or alternative general permit to authorize discharges to surface water in the state if the executive director determines that an activity will cause a violation of water quality standards or is found to cause or contribute to the impairment of a designated use of surface water in the state. The executive director may also require an application for an individual permit considering factors described in Part II.E.2.

4. Discharges to Water Quality-Impaired Receiving Waters

New sources or new discharges of the constituent(s) of concern to impaired waters are not authorized by this permit unless otherwise allowable under 30 TAC Chapter 305 and applicable state law. Impaired waters are those that do not meet applicable water quality standard(s) and are listed on the Clean Water Act § 303(d) list. Constituents of concern are those for which the water body is listed as impaired.

6. Discharges to Specific Watersheds and Water Quality Areas

Discharges of storm water from regulated small MS4s and other non-storm water discharges can not be authorized by this general permit where prohibited by 30 TAC Chapter 311 (relating to Watershed Protection) for water quality areas and watersheds.

7. Protection of Streams and Watersheds by Home Rule Municipalities

This general permit does not limit the authority of a home-rule municipality provided by § 401.002 of the Texas Local Government Code.

8. Indian Country Lands

Storm water runoff from MS4s or construction activities occurring on Indian Country lands are not under the authority of the TCEQ and are not eligible for coverage under this general permit. If discharges of storm water require authorization under federal NPDES regulations, authority for these discharges must be obtained from the U.S. Environmental Protection Agency (EPA).

9. Other

Nothing in Part II of the general permit is intended to negate any person's ability to assert the force majeure (act of God, war, strike, riot, or other catastrophe) defenses found in 30 TAC § 70.7.

This permit does not transfer liability for the act of discharging without, or in violation of, a NPDES or a TPDES permit from the operator of the discharge to the permittee(s).

D. Obtaining Authorization

1. Application for Coverage

When submitting an NOI and Storm Water Management Program (SWMP) as described in Parts II.D.3., II.D.4, and Part III for coverage under this general permit, the applicant must follow the public notice and availability requirements found in Part II.D.12. of this section.

Applicants seeking authorization to discharge under this general permit must submit a completed NOI, on a form approved by the executive director, and a SWMP as described in Part III. The NOI and SWMP must be submitted to the TCEQ Water Quality Division, at the address specified on the form. Discharge authorization begins when the applicant is notified by TCEQ that the NOI and SWMP have been administratively and technically reviewed and the applicant has followed the public participation provisions in Part II.D.12. Following review of the NOI and SWMP, the executive director may determine that: 1) the submission is complete and confirm coverage by providing a notification and an authorization number, 2) the NOI and/or SWMP are incomplete and deny coverage until a complete NOI and/or SWMP are submitted, 3) approve the NOI and/or SWMP with revisions and provide a written description of the required revisions along with any compliance schedule(s), or 4)

an NOC form to the address specified on the form. Unless denied in writing by the TCEQ, the change shall be considered approved and may be implemented by the permittee 60 days from submitting the request. Such requests must include the following:

(1) an explanation of why the BMP was eliminated;

(2) an explanation of the effectiveness of the replacement BMP; and

(3) an explanation of why the replacement BMP is expected to achieve the goals of the replaced BMP.

4. Contents of the NOI

The NOI must contain the following minimum information:

(a) MS4 Operator Information

(1) the name, mailing address, telephone number, and fax number of the MS4 operator; and

(2) the legal status of the MS4 operator (e.g., federal government, state government, county government, city government, or other government).

(b) Site Information

(1) the name, physical location description, and latitude and longitude of the approximate center of the regulated portion of the small MS4;

(2) county or counties where the small MS4 is located;

(3) an indication if all or a portion of the small MS4 is located on Indian Country Lands;

(4) if the applicant develops a seventh minimum control measure to obtain authorization for construction activities, the boundary within which those activities will occur;

(5) the name, mailing address, telephone number, and fax number of the designated person(s) responsible for implementing or coordinating implementation of the SWMP;

(6) a certification that a SWMP has been developed according to the provisions of this permit;

(7) a statement that the applicant will comply with the Public Participation requirements described in Part II.D.12.;

9. Fees

An application fee of $100 must be submitted with each NOI. A fee is not required for submission of a waiver form, an NOT, or an NOC.

A permittee authorized under this general permit must pay an annual Water Quality fee of $100 under Texas Water Code, § 26.0291 and 30 TAC Chapter 205 (relating to General Permits for Waste Discharges).

10. Permit Expiration

(a) This general permit is effective for five years from the date of issuance. Authorizations for discharge under the provisions of this general permit may continue until the expiration date of the general permit. This general permit may be amended, revoked, or canceled by the commission or renewed by the commission for an additional term or terms not to exceed five years.

(b) If the Executive Director proposes to reissue this general permit before the expiration date, the general permit shall remain in effect after the expiration date for those existing discharges covered by the general permit in accordance with 30 TAC, Chapter 205. The general permit shall remain in effect for these dischargers until the date on which the commission takes final action on the proposal to reissue this general permit. No new NOIs will be accepted and no new authorizations will be processed under the general permit after the expiration date.

(c) Upon issuance of a renewed or amended general permit, all permittees, including those covered under the expired general permit, may be required to submit an NOI according to the requirements of the new general permit or to obtain a TPDES individual permit for those discharges.

(d) If the commission does not propose to reissue this general permit within 90 days before the expiration date, permittees must apply for authorization under a TPDES individual permit or an alternative general permit. If the application for an individual permit is submitted before the expiration date, authorization under this expiring general permit remains in effect until the issuance or denial of an individual permit.

11. Suspension of Permit Coverage

The executive director may suspend an authorization under this general permit for the reasons specified in 30 TAC § 205.4(d) by providing the discharger with written notice of the decision to suspend that authority, and the written notice will include a brief statement of the basis for the decision. If the decision requires an application for an individual permit or an alternative general permit, the written notice will also include a statement establishing the deadline for submitting an application. The written notice will state that the authorization under this general permit is either suspended on the effective date of the commission's action on the permit application, unless the commission expressly provides otherwise, or

technical requirements or conditions of this general permit.

(f) If significant public interest exists, the executive director will direct the applicant to publish a notice of the public meeting and to hold the public meeting. The applicant must publish notice of a public meeting at least 30 days before the meeting and hold the public meeting in a county where the small MS4 is located. TCEQ staff will facilitate the meeting.

(g) If a public meeting is held, the applicant shall describe the contents of the NOI and SWMP. The applicant shall also provide maps and other data on the small MS4. The applicant shall provide a sign in sheet for attendees to register their names and addresses and furnish the sheet to the executive director. A public meeting held under this general permit is not an evidentiary proceeding.

(h) The applicant must file with the Chief Clerk a copy and an affidavit of the publication of notice(s) within 60 days of receiving the written instructions from the Office of Chief Clerk.

(i) The executive director, after considering public comment, shall approve, approve with conditions, or deny the NOI based on whether the NOI and SWMP meet the requirements of this general permit.

(j) Persons whose names and addresses appear legibly on the sign in sheet from the public meeting and persons who submitted written comments to the TCEQ will be notified by the TCEQ's Office of Chief Clerk of the executive director's decision regarding the authorization.

E. Permitting Options

1. Authorization Under the General Permit

An operator of a small MS4 is required to obtain authorization either under this general permit, or under an individual TPDES permit if it is located in an urbanized area or if it is designated by the TCEQ. Multiple small MS4s with separate operators must individually submit an NOI to obtain coverage under this general permit, regardless of whether the systems are physically interconnected, located in the same urbanized area, or are located in the same watershed. Each regulated small MS4 will be issued a distinct permit number. These MS4 operators may combine or share efforts in meeting any or all of the SWMP requirements stated in Part III of this general permit. MS4 operators that share SWMP development and implementation must meet the following conditions:

(a) Participants

The SWMP must clearly list the name and permit number for each MS4 operator that contributes to development or implementation of the SWMP, and provide confirmation that the contributing MS4 operator has agreed to contribute. If a contributing MS4 has submitted an NOI and SWMP to TCEQ, but has not yet

(40 CFR § 122.32(d)); and

(b) if the system discharges any pollutant(s) that have been identified as a cause of impairment of any water body to which the small MS4 discharges, storm water controls are not needed based on wasteload allocations that are part of an EPA approved or established "total maximum daily load" (TMDL) that addresses the pollutant(s) of concern.

2. Waiver Option 2: The system serves a population under 10,000 and meets the following criteria:

(a) the TCEQ has evaluated all waters of the United States, including small streams, tributaries, lakes, and ponds, that receive a discharge from the small MS4;

(b) for all such waters, the TCEQ has determined that storm water controls are not needed based on wasteload allocations that are part of an approved or established TMDL that addresses the pollutant(s) of concern or, if a TMDL has not been developed or approved, an equivalent analysis that determines sources and allocations for the pollutant(s) of concern; and

(c) the TCEQ has determined that future discharges from the small MS4 do not have the potential to exceed Texas surface water quality standards, including impairment of designated uses, or other significant water quality impacts, including habitat and biological impacts.

Part III. Storm Water Management Program (SWMP)

To the extent allowable under state and local law, a SWMP must be developed and implemented according to the requirements of Part III of this general permit, for storm water discharges that reach waters of the United States, regardless of whether the discharge is conveyed through a separately operated storm sewer. The SWMP must be developed to reduce the discharge of pollutants from the MS4 to the maximum extent practicable (MEP), to protect water quality, and to satisfy the appropriate water quality requirements of the Clean Water Act and the Texas Water Code. Existing programs or best management practices (BMPs) may be used to fulfill the requirements of this general permit. The MS4 operator must develop the SWMP to include the six minimum control measures described in Part III.A.1. through 6, and the operator may develop and include the optional seventh minimum control measure in Part III.A.7. Small MS4s have five years from the date of issuance of this general permit to fully implement their SWMP. A discharger's compliance with its approved SWMP will be deemed compliance with Part III of this permit.

Where the permittee lacks the authority to develop ordinances or to implement enforcement actions, the permittee shall exert enforcement authority as required by this general permit for its facilities, employees, and contractors. For discharges from third party actions, the permittee shall perform inspections and exert enforcement authority to the MEP.

If the permittee does not have enforcement authority and is unable to meet the goals of this general permit through its own powers, then, unless otherwise stated in this general permit, the permittee shall perform the

2. Public Involvement/Participation

The MS4 operator must, at a minimum, comply with any state and local public notice requirements when implementing a public involvement/participation program. It is recommended that the program include provisions to allow all members of the public within the small MS4 the opportunity to participate in SWMP development and implementation. Correctional facilities will not be required to implement this MCM.

3. Illicit Discharge Detection and Elimination

(a) Illicit Discharges

A section within the SWMP must be developed to establish a program to detect and eliminate illicit discharges to the small MS4. The SWMP must include the manner and process to be used to effectively prohibit illicit discharges. To the extent allowable under state and local law, an ordinance or other regulatory mechanism must be utilized to prohibit and eliminate illicit discharges. Elements must include:

(1) Detection

The SWMP must list the techniques used for detecting illicit discharges; and

(2) Elimination

The SWMP must include appropriate actions and, to the extent allowable under state and local law, establish enforcement procedures for removing the source of an illicit discharge.

(b) Allowable Non-Storm Water Discharges

Non-storm water flows listed in Part II.B and Part VI.B. do not need to be considered by the MS4 operator as an illicit discharge requiring elimination unless the operator of the small MS4 or the executive director identifies the flow as a significant source of pollutants to the small MS4. In lieu of considering non-storm water sources on a case-by-case basis, the MS4 operator may develop a list of common and incidental non-storm water discharges that will not be addressed as illicit discharges requiring elimination. If developed, the listed sources must not be reasonably expected to be significant sources of pollutants either because of the nature of the discharge or the conditions that are established by the MS4 operator prior to accepting the discharge to the small MS4. If this list is developed, then all local controls and conditions established for these listed discharges must be described in the SWMP and any changes to the SWMP must be included in the annual report described in Part IV.B.2. of this general permit, and must meet the requirements of Part II.D.3. of the general permit.

(2) receipt and consideration of information submitted by the public; and

(3) site inspection and enforcement of control measures to the extent allowable under state and local law.

5. Post-Construction Storm Water Management in New Development and Redevelopment

To the extent allowable under state and local law, the MS4 operator must develop, implement, and enforce a program to address storm water runoff from new development and redevelopment projects that disturb greater than or equal to one acre of land, including projects less than one acre that are part of a larger common plan of development or sale that will result in disturbance of one or more acres, that discharge into the small MS4. The program must ensure that controls are in place that would prevent or minimize water quality impacts. The permittee shall:

(a) Develop and implement strategies which include a combination of structural and/or non-structural BMPs appropriate for the community;

(b) Use an ordinance or other regulatory mechanism to address post-construction runoff from new development and redevelopment projects to the extent allowable under state and local law; and

(c) Ensure adequate long-term operation and maintenance of BMPs.

6. Pollution Prevention/Good Housekeeping for Municipal Operations

A section within the SWMP must be developed to establish an operation and maintenance program, including an employee training component, that has the ultimate goal of preventing or reducing pollutant runoff from municipal operations.

(a) Good Housekeeping and Best Management Practices (BMPs)

Housekeeping measures and BMPs (which may include new or existing structural or non-structural controls) must be identified and either continued or implemented with the goal of preventing or reducing pollutant runoff from municipal operations. Examples of municipal operations and municipally owned areas include, but are not limited to:

(1) park and open space maintenance;

(2) street, road, or highway maintenance;

(3) fleet and building maintenance;

(4) storm water system maintenance;

(5) new construction and land disturbances;

(1) municipal operations that are subject to the operation, maintenance, or training program developed under the conditions of this section; and

(2) municipally owned or operated industrial activities that are subject to TPDES industrial storm water regulations.

7. Authorization for Municipal Construction Activities

The development of a MCM for municipal construction activities is an optional measure and is an alternative to the MS4 operator seeking coverage under TPDES general permit TXR150000. Additionally, contractors working for the permittee are not required to obtain a separate authorization if they do not meet the definition of a "construction site operator," as long as the permittee meets the status of construction site operator. Permittees that choose to develop this measure will be authorized to discharge storm water and certain non-storm water from construction activities where the permittee can meet the definition of "construction site operator" in Part I of this general permit. The authorization to discharge under this MCM is limited to the regulated area, such as the portion of the MS4 located within an urbanized area or the area designated by TCEQ as requiring coverage. However, an MS4 operator may also utilize this MCM over additional portions of their MS4 that are also in compliance with all of the MCMs listed in this general permit. This MCM must be developed as a part of the SWMP that is submitted with the NOI for permit coverage. If this MCM is developed after submitting the initial NOI, a NOC must be submitted notifying the executive director of this change, and identifying the geographical area or boundary where the activities will be conducted under the provisions of this general permit. Utilization of this MCM does not preclude a small MS4 from obtaining coverage under the TPDES Construction General Permit, TXR150000, or under an individual TPDES permit.

(a) The MCM must include:

(1) a description of how construction activities will generally be conducted by the permittee so as to take into consideration local conditions of weather, soils, and other site specific considerations;

(2) a description of the area that this MCM will address and where the permittee's construction activities are covered (e.g. within the boundary of the urbanized area, the corporate boundary, a special district boundary, an extra territorial jurisdiction, or other similar jurisdictional boundary); and

(3) either a description of how the permittee will supervise or maintain oversight over contractor activities to ensure that the SWP3 requirements are properly implemented at the construction site; or how the permittee will make certain that contractors have a separate authorization for storm water discharges.

(4) a general description of how a SWP3 shall be developed, according to Part VI.E. of this general permit, for each construction site.

B. Reporting

1. General Reporting Requirements

(a) Noncompliance Notification

According to 30 TAC § 305.125(9), any noncompliance which may endanger human health or safety, or the environment, must be reported by the permittee to the TCEQ. Report of such information must be provided orally or by electronic facsimile transmission (FAX) to the TCEQ regional office within 24 hours of becoming aware of the noncompliance. A written report must be provided by the permittee to the TCEQ regional office and to the TCEQ Enforcement Division (MC-224) within five working days of becoming aware of the noncompliance. The written report must contain:

(1) a description of the noncompliance and its cause;

(2) the potential danger to human health or safety, or the environment;

(3) the period of noncompliance, including exact dates and times;

(4) if the noncompliance has not been corrected, the anticipated time it is expected to continue; and

(5) steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance, and to mitigate its adverse effects.

(b) Other Information

When the permittee becomes aware that it either submitted incorrect information or failed to submit complete and accurate information requested in an NOI, NOT, or NOC, or any other report, it must promptly submit the facts or information to the executive director.

2. Annual Report

The MS4 operator must submit a concise annual report to the executive director within 90 days of the end of each permit year. The annual report must address the previous permit year. The first permit year for annual reporting purposes shall begin on the date of permit issuance, and shall last for one year. Subsequent calendar years will begin on the anniversary date of permit issuance and last for one year. The MS4 operator must also make a copy of the annual report readily available for review by TCEQ personnel upon request. The report must include:

(a) The status of the compliance with permit conditions, an assessment of the appropriateness of the identified BMPs, progress towards achieving the statutory

A copy of the annual report must also be submitted to the TCEQ Regional Office that serves the area of the regulated small MS4.

If available, electronic submission of annual reports is encouraged. The Federal Waste Reduction Act and the Government Paperwork Elimination Act encourages governmental agencies to use electronic submission. See the TCEQ website at, www.tceq.state.tx.us for additional information and instructions.

Part V. Standard Permit Conditions

A. The permittee has a duty to comply with all permit conditions. Failure to comply with any permit condition is a violation of the general permit and statutes under which it was issued, and is grounds for enforcement action, for terminating coverage under this general permit, or for requiring a discharger to apply for and obtain an individual TPDES permit.

B. Authorization under this general permit may be suspended or revoked for cause. Filing a notice of planned changes or anticipated non-compliance by the permittee does not stay any permit condition. The permittee must furnish to the executive director, upon request and within a reasonable timeframe, any information necessary for the executive director to determine whether cause exists for revoking, suspending, or terminating authorization under this general permit. Additionally, the permittee must provide to the executive director, upon request, copies of all records that the permittee is required to maintain as a condition of this general permit.

C. It is not a defense for a discharger in an enforcement action that it would have been necessary to halt or reduce the permitted activity to maintain compliance with the permit conditions.

D. Inspection and entry shall be allowed under Texas Water Code Chapters 26-28, Health and Safety Code §§ 361.032-361.033 and 361.037, and 40 Code of Federal Regulations (CFR) §122.41(i). The statement in Texas Water Code § 26.014 that commission entry of a facility shall occur according to an establishment's rules and regulations concerning safety, internal security, and fire protection is not grounds for denial or restriction of entry to any part of the facility or site, but merely describes the commission's duty to observe appropriate rules and regulations during an inspection.

E. The discharger is subject to administrative, civil, and criminal penalties, as applicable, under Texas Water Code, Chapters 26, 27, and 28, and the Texas Health and Safety Code, Chapter 361 for violations including but not limited to the following:

a. negligently or knowingly violating CWA, §§ 301, 302, 306, 307, 308, 318, or 405, or any condition or limitation implementing any sections in a permit issued under CWA, § 402; and

b. knowingly making any false statement, representation, or certification in any record or other document submitted or required to be maintained under a permit, including monitoring reports or reports of compliance or noncompliance.

F. All reports and other information requested by the executive director must be signed by the person

2. Discharges of Storm Water Associated with Construction Support Activities

Discharges of storm water runoff from construction support activities, including concrete batch plants, asphalt batch plants, equipment staging areas, material storage yards, material borrow areas, and excavated material disposal areas may be authorized under this general permit provided:

(a) the activity is located within a 1-mile distance from the boundary of the permitted construction site and directly supports the construction activity;

(b) a storm water pollution prevention plan is developed according to the provisions of this general permit and includes appropriate controls and measures to reduce erosion and discharge of pollutants in storm water runoff from the supporting industrial activity site; and

(c) the construction support activity either does not operate beyond the completion date of the construction activity or obtains separate TPDES authorization for discharges as required.

3. Non-storm Water Discharges

The following non-storm water discharges from construction sites authorized under this general permit are also eligible for authorization under this MCM:

(a) discharges from fire fighting activities (fire fighting activities do not include washing of trucks, run-off water from training activities, test water from fire suppression systems, and similar activities);

(b) fire hydrant flushings;

(c) vehicle, external building, and pavement wash water where detergents and soaps are not used and where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material is removed)

(d) water used to control dust;

(e) potable water sources including waterline flushings;

(f) air conditioning condensate; and

(g) uncontaminated ground water or spring water, including foundation or footing drains where flows are not contaminated with industrial materials such as solvents.

F. Effective Date of Coverage

Operators of construction activities eligible for coverage under this general permit are authorized to discharge storm water associated with construction activity from a site 48 hours from the time that the signed notice is posted at the site.

G. Deadlines for SWP3 Preparation and Compliance

The SWP3 must:

1. be completed and initially implemented prior to commencing construction activities that result in soil disturbance;

2. be updated as necessary to reflect the changing conditions of new contractors, new areas of responsibility, and changes in best management practices; and

3. provide for compliance with the terms and conditions of this general permit.

H. Plan Review and Making Plans Available

The SWP3 must be retained on-site at the construction site or made readily available at the time of an on-site inspection to: the executive director; a federal, state, or local agency approving sediment and erosion plans, grading plans, or storm water management plans; local government officials; and the operator of a municipal separate storm sewer receiving discharges from the site.

I. Keeping Plans Current

The permittee must amend the SWP3 whenever:

1. there is a change in design, construction, operation, or maintenance that has a significant effect on the discharge of pollutants and that has not been previously addressed in the SWP3; or

2. results of inspections or investigations by site operators, authorized TCEQ personnel, or a federal, state or local agency approving sediment and erosion plans indicate the SWP3 is proving ineffective in eliminating or significantly minimizing pollutants in discharges authorized under this general permit.

J. Contents of SWP3

The SWP3 must include, at a minimum, the information described in this section.

1. A site description, or project description, must be developed to include:

   (a) a description of the nature of the construction activity, potential pollutants and sources;

(a) Erosion and Sediment Controls

(1) Erosion and sediment controls must be designed to retain sediment on-site to the maximum extent practicable with consideration for local topography and rainfall.

(2) Control measures must be properly selected, installed, and maintained according to the manufacturer's or designer's specifications. If periodic inspections or other information indicates a control has been used incorrectly, or that the control is performing inadequately, the operator must replace or modify the control.

(3) Sediment must be removed from sediment traps and sedimentation ponds no later than the time that design capacity has been reduced by 50%.

(4) If sediment escapes the site, accumulations must be removed at a frequency to minimize further negative effects and, whenever feasible, prior to the next rain event.

(5) Controls must be developed to limit offsite transport of litter, construction debris, and construction materials by storm water runoff.

3. Stabilization Practices

The SWP3 must include a description of interim and permanent stabilization practices for the site, including a schedule of when the practices will be implemented. Site plans should ensure that existing vegetation is preserved where it is possible.

(a) Stabilization practices may include but are not limited to: establishment of temporary vegetation, establishment of permanent vegetation, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of existing trees and vegetation and other similar measures.

(b) The following records must be maintained and either attached to or referenced in the SWP3 and made readily available upon request to the parties in Part VI.H. of this general permit:

(1) the dates when major grading activities occur;

(2) the dates when construction activities temporarily or permanently cease on a portion of the site; and

(3) the dates when stabilization measures are initiated.

(c) Stabilization measures must be initiated as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, and except as provided in (1) through (3) below, must be initiated no more than fourteen (14) days

down slope boundaries (and for those side slope boundaries deemed appropriate as dictated by individual site conditions) of the construction. Alternatively, a sediment basin providing storage for a calculated volume of runoff from these areas for a 2-year, 24- hour storm or 3,600 cubic feet of storage per acre drained may be provided.

5. Permanent Storm Water Controls

A description of any measures that will be installed during the construction process to control pollutants in storm water discharges that will occur after construction operations have been completed must be included in the SWP3. Permittees are only responsible for the installation and maintenance of storm water management measures prior to final stabilization of the site .

6. Other Controls

(a) Off-site vehicle tracking of sediments and the generation of dust must be minimized.

(b) The SWP3 must include a description of construction and waste materials expected to be stored on-site and a description of controls to reduce pollutants from these materials.

(c) The SWP3 must include a description of pollutant sources from areas other than construction (including storm water discharges from dedicated asphalt plants and dedicated concrete plants), and a description of controls and measures that will be implemented at those sites to minimize pollutant discharges.

7. Approved State and Local Plans

(a) Permittees must ensure the SWP3 is consistent with requirements specified in applicable sediment and erosion site plans or site permits, or storm water management site plans or site permits approved by federal, state, or local officials.

(b) SWP3s must be updated as necessary to remain consistent with any changes applicable to protecting surface water resources in sediment erosion site plans or site permits, or storm water management site plans or site permits approved by state or local official for which the permittee receives written notice.

8. Maintenance

All erosion and sediment control measures and other protective measures identified in the SWP3 must be maintained in effective operating condition. If through inspections the permittee determines that BMPs are not operating effectively, maintenance must be performed before the next anticipated storm event or as necessary to maintain the continued effectiveness of storm water controls. If maintenance prior to the next anticipated storm event is impracticable, maintenance must be scheduled and accomplished as soon as practicable.

particular location; and locations where additional BMPs are needed.

(e) Actions taken as a result of inspections must be described within, and retained as a part of, the SWP3. Reports must identify any incidents of non-compliance. Where a report does not identify any incidents of non-compliance, the report must contain a certification that the facility or site is in compliance with the SWP3 and this permit.

10. The SWP3 must identify and ensure the implementation of appropriate pollution prevention measures for all eligible non-storm water components of the discharge.

K. Additional Retention of Records

The permittee must retain the following records for a minimum period of three (3) years from the date that final stabilization has been achieved on all portions of the site. Records include:

1. a copy of the SWP3; and

2. all reports and actions required by this general permit, including a copy of the site notice.

Attachment 2

CONCRETE BATCH FACILITIES

STW/ TXR04_____/ CO

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME

ADDRESS

FACILITY LOCATION

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)

DISCHARGE MONITORING REPORT (DMR)

(2-16)	(17-19)
PERMIT NUMBER	DISCHARGE NUMBER

MONITORING PERIOD					
YEAR	MO	DAY	YEAR	MO	DAY
	01	01		12	31
(20-21)	(22-23)	(24-25)	(26-27)	(28-29)	(30-31)

NOTE: Enter your permit number in the underlined space in the upper right hand corner of this page. Example: STW/TXR04 00123/ CO

Mail to: TCEQ (MC 213)
P.O. Box 13087
Austin, TX 78711-3087

PARAMETER (32-37)		(3 Card Only) QUANTITY OR LOADING (46-53)		(54-61)	(4 Card Only) QUALITY OR CONCENTRATION (38-45)	(46-53)	(54-61)		NO. EX (62-63)	FREQUENCY OF ANALYSIS (64-68)	SAMPLE TYPE (69-70)
		AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM	UNITS			
Total Suspended Solids	SAMPLE MEASUREMENT	*******	*******	*******	*******	*******					
	SAMPLE REQUIREMENT	*******	*******	*******	*******	*******	65 Daily Max	mg/l		1/Year	Grab
Oil & Grease	SAMPLE MEASUREMENT	*******	*******	*******	*******	*******					
	SAMPLE REQUIREMENT	*******	*******	*******	*******	*******	15 Daily Max	mg/l		1/Year	Grab
pH	SAMPLE MEASUREMENT	*******	*******	*******	*******	*******					
	SAMPLE REQUIREMENT	*******	*******	*******	*******	*******	6.0 - 9.0 Range	S.U.		1/Year	Grab
	SAMPLE MEASUREMENT										
	SAMPLE REQUIREMENT										

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER			TELEPHONE		DATE		
	I CERTIFY UNDER PENALTY OF LAW THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH A SYSTEM DESIGNED TO ASSURE THAT QUALIFIED PERSONNEL PROPERLY GATHER AND EVALUATE THE INFORMATION SUBMITTED. BASED ON MY INQUIRY OF THE PERSON OR PERSONS WHO MANAGE THE SYSTEM, OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION, THE INFORMATION SUBMITTED IS, TO THE BEST OF MY KNOWLEDGE AND BELIEF, TRUE, ACCURATE, AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS.						
TYPED OR PRINTED		SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT	AREA CODE	NUMBER	YEAR	MO	DAY

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)